

shipment of liquor into dry territory; to the Committee on the Judiciary.

Also, petition of the Rudgear Merle Co., San Francisco, Cal., favoring the passage of House bill 27567, for a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

Also, petition of the Downtown Taxpayers' Association, Brooklyn, N. Y., favoring the passage of legislation providing for the building of one of the two battleships in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SCULLY: Petition of citizens of Monmouth County, State of New Jersey, favoring the passage of the Kenyon-McCumber bill, to withdraw from interstate-commerce protection liquors imported into dry territory for illegal use; to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Churches of Highlands, Toms River, West Long Branch, and Sea Bright; citizens of Metuchen, Toms River, and Cranbury; Old First Methodist Episcopal Church, of West Long Branch; and Presbyterian Church of Atlantic Highlands, State of New Jersey, favoring the passage of the Kenyon-McCumber bill, to withdraw from interstate-commerce protection liquors imported into dry territory for illegal use; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of Taylor Bros. Co., Battle Creek, Mich., favoring the passage of legislation for the removal of duty on almonds, walnuts, and filberts; to the Committee on Ways and Means.

Also, petition of the Woman's Historical Club, Detroit, Mich., protesting against the passage of any legislation tending to destroy the present national system of forest preservation; to the Committee on Agriculture.

By Mr. STEPHENS of California: Petition of members of the Lake Avenue Methodist Episcopal Church, Pasadena, Cal., favoring the passage of the Kenyon-Sheppard bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of the United Mine Workers of America, District No. 6, Columbus, Ohio, favoring the passage of legislation for the investigation of the West Virginia coal strike; to the Committee on Labor.

By Mr. WOOD of New Jersey: Petition of citizens of the fourth congressional district of New Jersey, favoring the passage of the Kenyon-McCumber bill, to withdraw from interstate-commerce protection liquors imported into dry territory for illegal use; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SUNDAY, February 9, 1913.

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore [Mr. PEPPER].

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, in whose all-encircling love we dwell, through whose never-failing ministrations our existence is continued moment by moment, hour by hour, guide us, we beseech Thee, by the Holy Spirit of Truth to do Thy will, that we may build each for himself a character which shall be an everlasting memorial to Thee. We are here in memory of three great men whose lives have become a part of the Nation's history. We can not add to or detract from their glory, but we may exalt ourselves by recording faithfully their service to State and Nation. Comfort, we pray Thee, their friends, colleagues, and those near and dear to them by the bonds of kinship with the blessed hope of the immortality of the soul.

Not enjoyment, and not sorrow,
Is our destined end or way;
But to act that each to-morrow
Find us farther than to-day.

Inspire us with courage, zeal, and fidelity that we may be worthy and pass on to the reward of those who, true to themselves, reflect in thought, word, and deed the character of Him who taught us to pray: Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The SPEAKER pro tempore. The Clerk will read the Journal.

Mr. KENDALL. Mr. Speaker, I ask unanimous consent that the reading of the Journal may be dispensed with.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. Without objection, the Journal will be approved.

There was no objection.

THE LATE REPRESENTATIVE HUBBARD, OF IOWA.

The SPEAKER pro tempore. The Clerk will report the special order of to-day.

The Clerk read as follows:

Ordered, That Sunday, February 9, 1913, at 12 o'clock m., be set apart for addresses upon the life, character, and public services of Hon. ELBERT H. HUBBARD, late a Representative from the State of Iowa.

Mr. HAUGEN. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 822.

Resolved, That in pursuance of the special order heretofore adopted the House proceed to pay tribute to the memory of the Hon. ELBERT HAMILTON HUBBARD, late a Representative in Congress from the State of Iowa.

Resolved, That as a further mark of respect to the memory of the deceased and in recognition of his public career the House at the conclusion of the memorial proceedings of this day shall stand adjourned.

Resolved, That the Clerk of the House communicate these resolutions to the Senate.

Resolved, That the Clerk of the House be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased.

The question was taken, and the resolution was unanimously agreed to.

Mr. SCOTT. Mr. Speaker, I rise with deep feeling of trepidation on this occasion; a feeling due to consciousness of my inability to speak fittingly and adequately of the life and character of the man to whose memory we are all anxious to pay tribute of honor. My want of confidence at this time is not attributable to the absence of knowledge on my part of his splendid faculties, accomplishments, and attainments, or want of familiarity with his admirable character and lovable disposition. An acquaintance extending over a score of years, during which period I was privileged to come in frequent contact with him as a neighbor, as an honorable public servant, and as a brother at the bar, gave ample opportunity for me to discern and appreciate both his unusual faculties of mind and his noble impulses of heart. It is rather realization upon my part of his deserving and commendable qualities that forces acknowledgment of my want of command of language to fittingly describe them.

I am also deeply impressed with a sense of recollection of the almost tragic circumstance of his untimely taking off. After nearly eight years of service in this House, and when the time had again recurred for the people to pass judgment upon the faithfulness of his stewardship, by popular vote he was accorded a fifth nomination—a distinction never before conferred upon any man by the electors of his district. With the closing of the polls at the popular primary election on the 3d of last June he repaired to his home apparently in good health and without outward evidence of concern touching the result of the ballot. Indeed, he seemed inspired with a confidence wholly unaffected by any sense of apprehension.

I had been his opponent in the contest then at a close, and I shall always treasure with deep feeling of satisfaction his expression of gratification made just before retiring to his home over the fact that our campaign had been one of the utmost good feeling and wholly devoid of any circumstance calculated to cause regret.

After returning home and partaking of his evening meal he walked down the street a short distance to spend the evening with a neighbor almost directly across the way from my own home. After conversing with his friend a few moments he was taken suddenly ill of acute indigestion. He grew rapidly worse, and the seriousness of his condition was soon apparent. He lingered through the night, and in the early morning expired in the arms of his son.

Appalled by the force and suddenness of the shock the whole community gave over to lamentation and sense of deepest sorrow. The passing of ELBERT HAMILTON HUBBARD affected with a sense of personal bereavement his fellow citizens far beyond the circle of his immediate friends. Coming to the young city of his father's adoption when but a child, he became fused with the personality of its earliest generation, and his life was contemporary with its entire history. His personality was striking, bearing immediate evidence of distinctive character; his impulses were so high and generous, his sympathies so broad, and his mind so tolerant as to challenge the admiration and affection of all who were privileged to know him. Endowed with such qualities, though modest almost to a degree of diffidence, he never wanted for friends to speak in his behalf.

Mr. HUBBARD was peculiarly a product of his home city. Born at Rushville, in the State of Indiana, August 19, 1849, he came a few years later as a small boy to Sioux City, where his father

had settled as one of its earliest pioneers. His preparatory education was completed in the Sioux City public schools, and at the age of 19 he entered Yale College for the completion of his general education. From that institution he was graduated with the class of 1872, and, returning to Sioux City, took up the study of the law. In due time he completed his course and entered upon the practice of his chosen profession. For 30 years before entering this House he maintained high position at the Iowa bar. The discharge of his professional duties was characterized by marked ability; and while vigorous and persistent in maintaining the cause of his client, he never disregarded the established ethics of his profession. His conduct at the bar was not only marked by a recognition of that high respect due to the court, but that gentlemanly courtesy to his brother lawyers which graces the orderly management of judicial proceedings.

During the period of his professional career there were a number of intervals when he put aside his private affairs in response to the call of his fellow citizens to perform important public service. As early as 1882 he served as a member of the House of Representatives of the Iowa Legislature, and again in 1890 in the Iowa Senate. His public service in the legislature of his State, as in this House, was always characterized by that marked ability and fidelity by which he secured and held the respect and gratitude of his fellow citizens.

Were I to assign preeminent distinction to any of Mr. HUBBARD's lovable traits of character, it would be to that code of manners observed by him in his relation to the members of his family. From him wife and children always received that solicitous consideration, that anxious desire for convenience and comfort, that deep sincerity of love and affection which will constitute a lasting heritage of loving memory. But with all this there was no mark of selfishness; his kindly demeanor was not reserved for those who were near and dear; to all with whom he came in contact he gave that consideration of kindly respect which marked the refined gentleman. To the poor—to those who toil—he was most generous in his regard; and all those whose privilege it has been to know his character will gratefully acknowledge his fraternal nature.

Yea, brother of all the brave millions that toil;
Brave brother in patience and silent endeavor,
Rest on, as the harvester rich from the soil,
Rest you, and rest you for ever and ever.

Mr. KENDALL. Mr. Speaker, standing by the open grave into which the remains of his only brother were about to be committed, the most persuasive orator of our day, perhaps of any day, solaced the agony of his tortured heart with this philosophy:

Yet, after all, it may be best, just in the happiest, sunniest hour of all the voyage, when eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar over a sunken ship.

The mortality record of the Sixty-second Congress has been unprecedented in the parliamentary history of the Republic. Six Senators and 19 Representatives have responded to the final roll call in this Capitol, and have been transferred to augment the uncounted quorum in the world invisible. The passing of these colleagues has been of especial significance to me, because within the year circumstances personal to myself have made me understand, as I never understood before, that "the night cometh," and that "no man knoweth the day nor the hour."

The death of HUBBARD was certainly unexpected, but we can not be sure that it was untimely. He was so completely equipped to live that he was perfectly prepared to die. The inexorable messenger who can not be denied beckoned him apart just when the inducements to life were most alluring, just when the possibilities of service were most expansive, just when the approval of friends was most unmistakable. The entire community was profoundly shocked by the suddenness of the summons, but we can not presume to challenge the dispensations of a Providence which orders with infinite wisdom all the destinies of men. For our sufficient consolation we must realize that the "Almighty has His own purposes," and that "the judgments of the Lord are true and righteous altogether."

I first became acquainted with our departed friend when we were elected, he to the senate and I to the house in the Twenty-eighth General Assembly of Iowa. The personnel of that legislature was exceptional in ability and experience, and many of its membership have since been elevated to positions of responsibility and eminence in the State. It was a company of men earnest of conviction, vigorous of intellect, resolute of individuality, and only the fittest might be ambitious to survive. HUBBARD early assumed a leadership which he maintained unquestioned until the session was dissolved by adjournment. In that more limited arena he developed the qualities which com-

manded his promotion to this wider theater of endeavor, and here I was privileged to resume relations with him when I entered the Sixty-first Congress in 1909. I loved him from our introduction in Des Moines with an affection which deepened and intensified as the advancing years revealed the genuine nobility of his admirable character.

He was a courageous man. He denounced the intolerance of the régime which formerly dominated the House majority, even at the peril of exclusion from party fellowship. He attacked the prerogative which then attached to the Speakership when it was inevitable that his independence would be punished by the autocracy he antagonized. He sustained the President in his program for reciprocity with Canada when all his Republican colleagues from Iowa rejected the proposition; and he repudiated the Payne-Aldrich bill as a betrayal of party pledges, although it had the unqualified indorsement of a powerful Executive.

He was the proprietor of his own convictions. He would not accept a measure simply because it was proposed by the organization, nor resist it simply because it was favored by the opposition. It is not difficult to define the political creed to which he subscribed. He was a Republican, but always with him partisanship was subordinated to patriotism. He was determined that his party should become and continue the progressive party of the Nation. He knew that it was instituted not to make men rich, but to make men free, and he insisted that it must never renounce the exalted impulse which Abraham Lincoln lived and died to communicate to it. In any conflict between men and money, between people and property, his voice and his vote were for humanity. He believed in the direct election of Senators and in a graduated income tax. He believed in the initiative, the referendum, and the recall, accompanied by appropriate restrictions. He believed in protection as a cardinal policy, but always with tariff duties so adjusted that prosperity for the producer should go hand in hand with competition for the consumer.

He believed that in this democracy equality of opportunity must be sacredly preserved. He believed that the people of this country, white and black, rich and poor, great and small, must control it absolutely in all its departments. He believed that in the adoption or abrogation of organic compacts, in the enactment or repeal of statutes, in the designation or displacement of officials, the electors themselves must be the ultimate authority. He believed that in this age of arrogance and wealth the helplessness of the weak must be protected against the aggressions of the strong. He believed that every citizen in the land must be assured an untrammelled ballot for the nomination of his party candidates, so that the real preference of the rank and file of the voters shall be reflected in the results. He believed that the Constitution must be made a potential force in governmental life, cheerfully recognized and universally respected, by the removal of every unnecessary impediment which interposes between the people and its amendment after fair deliberation. He believed that the dangers of combination and monopoly must be overcome by restoring to the market place that unhampered independence and reasonable rivalry which alone can counter-vail the abuses of industrial, commercial, and financial concentration. He demanded that the course of the Republic be so directed that the disinterested intelligence of the many rather than the selfish genius of the few shall sound the dominant note in the national strain. These were the principles he espoused. Many of them were unpopular when he embraced them. Most of them are now applauded everywhere.

His life was open, unconcealed, obvious. He intended no evil, and he was therefore reluctant to impute evil even to those who willfully misrepresented him. He endured the criticism, much of it misinformed, some of it malignant, which all successful men are compelled to encounter; but it never aroused his animosity or disturbed his composure. He never provoked a controversy, but he never surrendered a conviction. The opinions he entertained were formulated for his own government after serious consideration, and while he never attempted to impose them upon his associates, he would not relinquish them no matter how bitterly they were assailed.

He was a man of extraordinary modesty. His political career was signalized by singular prosperity, but with vanity he was wholly unacquainted. He enjoyed the unbounded confidence of his electorate, and he had been commissioned and re-commissioned as the representative of a sovereign Commonwealth in the most distinguished legislative assembly in the world. But he always esteemed the distinctions conferred upon him as opportunities for useful achievement in the public interest, and he remained throughout what he was originally—a simple, sincere, unaffected gentleman. And he was a natural gentleman. I knew him intimately for a dozen years, in public station and in private life, in his office and in mine, in his home and in mine,

and our intercourse was informal, even familiar. I never heard him utter a word in conversation that would be offensive to sensibilities the most fastidious, and I believe he never conceived a thought that might not have been published, without impropriety, in any presence.

He had no partiality for public life, because he comprehended how capricious is the approbation of men and how puerile are the preferments which the most fortunate can secure. He was devoted to wife and children and fireside and friends, and he contemplated early retirement to his home, and to his library, and to his profession.

He had a fine appreciation of art, whether expressed on canvas or in marble. He would stand for hours engrossed in Saint Gaudens's marvelous representation of "Grief" in Rock Creek Cemetery, and he once confided to me that, after all the pictures in the Corcoran Gallery, he returned instinctively again and again to view with awe and reverence Vela's majestic statue of Napoleon, in the upper corridor, and Michaelangelo's wonderfully impressive figure of the Pieta, near the entrance.

His literary discrimination was acute, cultivated, critical. Shakespeare he knew and cherished as a friend. Kipling was often in his hand. Browning was always on his table. Dickens was like one of the family. Tennyson was a constant companion, and the last time I saw him in Washington he concluded our interview by reciting with dramatic effect from that solemn masterpiece, "Crossing the Bar":

Sunset and evening star,
And one clear call for me,
And may there be no moaning of the bar
When I put out to sea.
Twilight and evening bell,
And after that the dark,
And may there be no sadness of farewell
When I embark.
For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have cross'd the bar.

I can not suppose that he had a premonition of the approaching end, but as he finished there was the shadow of a tear in his eye and the suggestion of a tremor in his tone. He paused a moment, abstracted in reverie, and then began repeating that immortal poem of Leigh Hunt's:

Abou Ben Adhem (may his tribe increase!)
Awoke one night from a deep dream of peace,
And saw, within the moonlight in his room,
Making it rich, and like a lily in bloom,
An angel writing in a book of gold;
Exceeding peace had made Ben Adhem bold,
And to the Presence in the room he said,
"What writest thou?" The vision raised its head,
And with a look made all of sweet accord,
Answered, "The names of those who love the Lord."
"And is mine one?" said Abou. "No, not so,"
Replied the angel. Abou spake more low,
But cheerily still, and said, "I pray thee, then,
Write me as one who loves his fellow men."
The angel wrote and vanished. The next night
It came again with great awakening light,
And showed the names whom love of God had blest,
And lo! Ben Adhem's name led all the rest.

He finished, and we clasped hands in a final farewell. I shall remember him always as he appeared that last afternoon—gentle, serene, hopeful, courteous, radiating the delightful urbanity which endeared him to all. Within the month he had "crossed the bar," had seen "his pilot face to face," and had been written "as one who loves his fellow men."

The foremost poet of Bible time, possibly of all time, in the anguish of his spirit exclaimed, "If a man die, shall he live again?" The answer has arisen for centuries spontaneously from the human heart. We can not know when or where or how, but we do know that sometime, somewhere, somehow, if we are worthy to be numbered with the good, the just, and the true, we shall be permitted again to meet and greet our friend for whom we mourn to-day.

Mr. LLOYD. Mr. Speaker, more frequently than heretofore we are called upon to engage in these memorial exercises. The mortality of this body seems to grow greater with each recurring year. One year ago it would not have been expected that during this Congress it would be necessary to show our evidence of respect for the memory of Mr. E. H. HUBBARD. He was then in the apparent enjoyment of excellent health, with as good chance for a long life as any of us. But his fate was that of many others; he was called hence when it was least expected. Mr. HUBBARD was an exemplary man—but few are found whose lives are more so. He was a man who was slow to make personal friends, but everyone who knew him testifies to his personal worth. He lacked the element of personality which advertises and makes conspicuous. He was

retiring and modest in demeanor. He had a long tenure of service here and showed at times superior ability but without demonstration. Men learned to know him for what he was, for he was entirely devoid of pretense and never paraded his superior ability. He was not brilliant in speech, but was convincing in statement. In Congress he made few addresses, and those he did make were on the merits of measures before the House. He never sought popular applause by trying to reach the galleries, but was contented to address himself to his colleagues on this floor. He was a man of splendid natural ability and had made himself a student of public questions. He was a man of strong convictions and was conscientious in the advocacy of what he believed to be right. He was an honest man and a useful citizen, and his life was an incentive to better things.

Mr. Speaker, this good man has gone into the beyond. His body so carefully consigned to earth may crumble into dust, but his spirit lives now and shall ever live. The philosophy of life is in death. Man's origin and development may be shrouded in mystery; his habitation and dominion in point of time may be unknown; his destination may be more of speculation than knowledge; man may not be able to explain the phenomena of life or the effect of dissolution; men may not agree as to the meaning of death or man's fate beyond it, but the certainty of its coming can not be doubted. The Bible story of man—his purpose and his future—presents the only solution of his existence. Here he may be to-day in the enjoyment of health and strength, to-morrow he may be cold and lifeless. Why this change? Humanity can but demonstrate the fact of what has happened; only infinity can explain it. Our friend, in the enjoyment of health, was cut down in the twinkling of an eye in the zenith of his power and before his mind and body had begun to weaken. Why this extraordinary condition? Why this irony of fate? A few months ago he sat in yonder seat, but never again will he answer an earthly roll call nor rise at the signal of the Speaker's gavel.

What of it all? Is life worth living? Is man's short stay amongst men compensation for the sorrow of separation? Ask wife and child was Mr. HUBBARD's life worth its cost in pain, anguish, and heartache, and you can be sure of the quick response, "A thousand times, yes." Ask the mother who bore him, and whose anxious heart beat over his little form, who nurtured him until he was wholly grown, "Was Mr. HUBBARD's life worth the cost," and she would promptly answer, "It was." I ask his friends, at home and here, what of Mr. HUBBARD's life? Was it for good or ill, for sunshine or for sorrow, for uplift or injury? Can it be said that his life was in vain, or was it a benefaction? I feel I can safely say there comes this response from all: "His life was worth the living."

What is the measure of human greatness? Is it in strict integrity, honesty of purpose, fidelity to truth, good training in mind and morals, devotion to duty as one sees it, splendid integrity, observation of filial, marital, and moral obligations? Then Mr. HUBBARD may be classed amongst the great men of earth. Here we know men by the little things they do—by their actions in committees, their conduct on this floor, and their personal demeanor elsewhere. We say of this man, "He is honest;" of that one, "He is brilliant;" and of another that he possesses a splendid character, applying almost as many descriptions as there are men; but, so far as I have ever heard, Mr. HUBBARD was regarded as a man of superior intelligence, good judgment, and strict integrity.

Another forceful example is here presented of the uncertain tenure of life and a splendid warning to us to be prepared when our summons comes. None of us knows when the call may be made. Let us hope that every individual here—the loved ones of Mr. HUBBARD and his friends generally—in thinking upon his life may receive inspiration from his good deeds and splendid example, and may all be encouraged to better living by reason of their association with him.

Mr. LENROOT. Mr. Speaker, when I became a Member of the Sixty-first Congress one of the first men with whom I became acquainted was E. H. HUBBARD. We immediately became friends, and from that time to the day of his death were very intimate. We both belonged to that wing of the Republican Party first called "Insurgent" and later "Progressive," and therefore upon public questions of great moment were thoroughly in accord.

Of his early life and career others have spoken. I only desire to briefly give expression to my opinion of him as a legislator and affection for him as a man. I need not say to any Member of this House that he was a man of marked ability and power, for they all know that to be the case. When he arose to speak there was immediate attention and Members

came in from the corridors. Everyone knew that when he arose he had something to say and that his speech would be profitable to listen to.

Being a profound lawyer with a deep sense of practical justice, scorning technicalities, he was at his best when discussing legal principles and their application to legislation. He was especially well equipped to distinguish between provisions of law and court procedure which aimed to secure justice and those which resulted in its obstruction. The first he always defended and sought to extend. The latter were his implacable foe.

He was a modest man; one of the most modest that I ever knew. He never sought to push himself forward and very often yielded to others to give expression to views and policies that he had been largely instrumental in formulating. This was especially marked in the consideration of the bill amending the interstate-commerce law enacted in 1910.

Members of the Sixty-first Congress will remember that the bill was the subject of very extended discussion. It was the habit of a group of Members, of which he was one, to meet nearly every evening in my office to prepare and consider amendments to the bill. His ripe experience and great ability were invaluable upon those occasions; but when it came to the presentation of these matters upon the floor he insisted that some other Member should take the lead. He was always ready and prepared, however, to assist and speak whenever the occasion seemed to require it. As illustrating this great modesty, I remember an occasion upon another bill when he and I discussed some features of it and found our views as to certain amendments to be in accord. I urged him to speak upon them, feeling certain that he could convince the House as to the correctness of our position. He said he would consider it. I saw him go up to the Speaker. In a few moments he returned, came over to my desk, and said: "Mr. LENROOT, the Chair has just promised me to recognize you next, and I want you to present the matter."

He was a Republican; but in every act and in every vote in this House he considered his duty to his country higher than his duty to his party. Upon any matter that arose there was but one question in his mind. That question was not whether it was a Republican measure or a Democratic measure, not who favored it or opposed it, but the sole question was whether it was right and in the interest of the people that it pass; and if his conscience answered "yes," he would vote for it, even though he stood alone.

That, Mr. Speaker, is the highest type of American citizen. That is the type of men that we increasingly need here, and the example and influence of our friend as a Member of this House has done much to create higher standards of thought and action in the deliberations of this body.

He was my friend. He was the friend of every Member with whom he came in contact. Of him it can be truly said:

None knew him but to love him,
None named him but to praise.

Mr. POWERS. Mr. Speaker, it was not long after the opening of the extraordinary session of Congress, nearly two years ago, that I had the pleasure of meeting for the first time our departed friend and colleague, Mr. HUBBARD. I was not intimately acquainted with him, although I had the pleasure of his association and company on quite a number of occasions, and had not only been more or less observant of his work in Congress but of his characteristics as a man as well.

There are others here much more familiar with the achievements of his long and honorable public career than I, as well as the inborn qualities that made that career possible, and I shall therefore leave a discussion of these matters, in the main, to those better able to do justice to them. His father before him was a distinguished jurist and an honorable Member of this House; and it is said that the son, as it was but natural for him to do, experienced peculiar pleasure and pride in following his father's footsteps to the halls of national legislation. For the fourth time he was elected and for the fifth time nominated by a critical and discerning constituency to a seat in this body—the greatest of its kind on earth. When after eight years of continuous service a Representative here has been re-nominated for two more years by the political party largely responsible for his former elections, that of itself is very convincing, if not conclusive, proof not only of his ability as a national legislator but also of his unswerving fidelity to that trust.

Mr. HUBBARD was originally sent from and continually returned to Congress by the district in which he had been born and reared, and by the constituents who knew his life and character best. In the eyes of the world a man may have a good reputation or a bad reputation, and whether good or bad

it may be wrong. The place to get at what a man really is, the place to discover a man's true character, is from those among whom he has lived and mingled—those with whom he has been thrown in daily contact. They are the best judges of what a man really is.

They are the only true judges, and judged from that standard the life and character of ELBERT H. HUBBARD is above reproach. He was repeatedly trusted and honored by those who knew him best, and he was ever faithful to the trust imposed. He was independent in thought, independent in action. He put patriotism above party; the welfare of his constituency above his own. The truth is strikingly exemplified by the votes he cast contrary to the wishes and will of his constituency at the time, but which later proved to be for their permanent good. He was inherently honest. He voted not to please but to benefit. He was willing to take the consequence of every honest and honorable act, whether at the time understood or misunderstood, and leave it to time to vindicate him and his motives. But he is now with us no more. As a superb specimen of physical manhood, moving with poise and deliberation among his fellow men, bravely doing the duties and cheerfully meeting the responsibilities of life, he is no more. He is dead. But how little of the good and great that can die? He will live forever in the minds of all who knew him and in the hearts of a grateful constituency.

Peace and death's beauty to his heart to-day, who is not dead, but only gone away to sleep a little, as a child who goes when twilight frees the petal of the rose.

Mr. LOBECK. Mr. Speaker, the State of Iowa is noted for its great agricultural resources, second to none in the Union. The Creator, in His infinite wisdom, created within its boundaries a magnificent land, a country bounded by great rivers. Throughout its confines flow mighty streams, boundless prairies meet the eye, and splendid groves are interspersed to make the scenery beautiful to mankind.

No wonder, then, that the early settlers who came to the Territory and State of Iowa said: "This is the land for me and my family."

They saw this land, its fertile soil, its splendid streams, its magnificent resources, and they realized that it would become a veritable garden, an earthly paradise.

The struggles of these pioneers is the story repeated over and over again of the people who have converted by dauntless courage, integrity, and energy the virgin soil of the West into the fairest and best-producing agricultural lands of our country.

These pioneers brought with them the Bible, the spelling book, and the reader. They established churches, schools, and colleges.

As they developed and tilled the farms, built towns, cities, and constructed roads, they did not forget that education of their children was as necessary as the gaining of wealth, and they remembered to give their loved ones the priceless privilege of becoming educated, esteeming the value of education higher than the mere gaining of wealth.

As a youth I took an humble part in the development of Iowa, coming to the State in May, 1869, and remaining in Iowa until 1880, when I removed to my adopted and beloved State, Nebraska.

I knew personally some of its growth, especially west of the Des Moines River, then in its new development. I saw the virgin soil turned to the sun, the crops planted, the harvests gathered, the towns and cities built, with their churches and schoolhouses, railroads constructed, and the region become an empire of splendid homes.

At that time the district, a part of which was represented by Congressman HUBBARD, was known as the sixth, "the big sixth," comprising what is now known as the tenth and eleventh districts, a vast domain in extent, a mighty land to improve. To this district there came young men who have made their names famous and have rendered useful service to the State and Nation.

Iowa has been the home of great men from its earliest history; its men have been foremost in every line of activity and usefulness; its educators are widely known; its editors have achieved national fame; its clergymen have taken leading places amongst the divines of the land; its warriors have been mighty in battle; and its statesmen have ranked with the foremost in the high councils of the Nation.

When I came to Iowa, Senator Harlan was in the zenith of his influence; Senator Grimes's memory was still fresh in the minds of the people on account of his distinguished services in the Senate of the United States. And in the House of Representatives Iowa was represented by Allison, Kasson, Wilson, of Fairfield, Price, Grinnell, and Hubbard (the father of the man whose memory we commemorate to-day). These were familiar household names in Iowa and the Nation. They

were great men, leaders of thought, and they rendered distinguished service for their country. During these days Governors Kirkwood and Carpenter, now gone to their final reward, were the Republican leaders of Iowa.

It was Congressman HUBBARD's privilege to see his beloved State develop into an empire. He took a prominent part in its growth and development. Living his life within its boundaries, he knew its resources better than most men. He not only knew, but helped develop, helped to make its history, and assisted in making its laws. Keeping close to the wishes of the common people, he became highly respected for his great ability, and they loved him for his usefulness.

I became acquainted with Congressman HUBBARD first at Sioux City, at a waterways convention. The Congressman believed that the great Missouri River should and could carry on its waters great fleets to transport the commerce and agricultural products of the Missouri Valley. He believed that the Missouri River could be made a mighty factor in transportation matters and lent his great influence to attain this most worthy object.

In this and other conventions I saw the great strength of his character, I noted his common sense, his method of doing things. Then, later, meeting him here in Congress, I observed his attentive manner, his close application to duties. I do not wonder that his people believed in him, elected him, time and time again, to represent them in legislative halls, both in his State and in Congress.

When the history of Iowa is fully written it will be related that in the northwestern part of the State there have been able and faithful men serving in Congress. Among the names of men who served in this body I recall Pomeroy, Orr, Oliver, Holmes, men who served their State and district faithfully, all of whom I had the honor to know personally. Judge HUBBARD was a worthy successor of these men and, like his predecessors, a man of the common people, strong, able, and conscientious. He was of the rugged type; growing to manhood among the pioneers of Iowa, he shared their joys and their sorrows, he knew their difficulties, and he lived to share their triumphs and success. In a word, "He made good."

The large attendance of the best citizenship of Iowa, the vast concourse of neighbors and people who attended the funeral of Judge HUBBARD to render their tribute of affection to his worth, attested the high esteem in which he was held by his people.

The life work of Congressman HUBBARD is ended, but the memory of his usefulness to his State and his country will live, and—

To live in hearts we leave behind
Is not to die.

His was a useful life. He gave his best to his people; for this they loved him.

With loving hands they laid him away in a beautiful resting place close to the scenes of his life's labors, near the city he loved and where he had been such an important factor in its growth and citizenship.

There is no death; the stars go down
To rise upon some fairer shore,
And bright in heaven's jeweled crown
They shine forever more.

Mr. WOODS of Iowa. Mr. Speaker, there is something necessary more than mere ability, riches, or personal achievement to perpetuate a man's memory. Though nature may bestow talents that are unusual, though energy and industry may compel passing recognition, though position has been attained that has lent power, and good fortune carried him to the highest pinnacle of fame, yet, if such a one lack human sympathy and a fellow feeling for mankind, the memory of his triumphs and successes will soon pass into oblivion. But when a man is found who possesses as a foundation to his talents a generous nature, a willingness to assist his fellow beings, a combination of heart and intellect, it forms a personality that leaves an indelible mark on those he comes in contact with and the world at large recognizes his true worth that his personal modesty can not hide and the malignity of a jealous, selfish world can not obscure.

ELBERT H. HUBBARD possessed a nature that was lovable, a kind and courteous disposition, and a quiet, unobtrusive manner. He had a faculty of making friendships that were lasting. A thorough student, he was careful and painstaking with any problem confronting him. He was cool and logical in debate, and in presenting an argument in favor of his position never became offensive, though earnest and aggressive. He took great pride in everything he did. He was proud of the principles he advocated and never allowed personal ambition or the fear of criticism to swerve him from what he considered

right. Mr. HUBBARD was always loyal to his friends and ever ready to assist in a good cause. He was successful in his profession, was a credit to his district and to the country in his capacity as a lawmaker. He had a pure heart, a loving disposition, a generous appreciation of others, and a modest opinion of self. His chief concern was for the common people, and he gave of his time and talent to the end that the Government by the people, of the people, and for the people shall endure. His untimely death was indeed a loss to the Nation and a personal bereavement to every Member of this House, but the memory of his tender kindness and beautiful character will be one of our dearest recollections.

Mr. PICKETT. Mr. Speaker, how often we are called upon to pay our tributes of love and respect to the memory of departed associates. During this Congress alone 18 Representatives and 4 Senators have answered the final summons. Death has indeed laid a heavy toll on our membership. Their tenure of service has varied from a few months to many years. Some, just entering on this wider sphere of activity, were pressing forward with ambitious hope to greater usefulness. Others, privileged to serve for a period of years, had become identified with both the membership and the work of the House, and left their impress on our national affairs. Others had climbed high up the ladder of fame and were in the very zenith of their power, with great possibilities still before them. They have come from the various elements which go to make up the composite whole, each contributing in his own way to the finished product of legislation under which the greatest Nation in the world has been moving forward.

But no matter what their place here, or the distance of the horizon that bounds their name or fame; no matter how poignant the sorrow, or how deeply felt the loss; as each and all have passed away, the ranks have closed and Congress moved on. Great men have died at every period in our history, but no matter how great or beloved or potential, the Government does not pause. The legislative powers of our ninety millions of people are, under the Constitution, vested in Congress. Individual Congresses may adjourn or recess, but the Congress of the United States lives on. Its work is never completed. There will always be unfinished business before it.

Others who were associated for a longer period in this body with Mr. HUBBARD have spoken of his distinguished services here, and recounted his participation in the important contemporaneous legislation. I do not know that I can add anything to their tributes to his worth and service as a legislator. It is said that Cromwell selected his "Ironsides" from "such men as had some conscience in what they did." All will bear testimony that Mr. HUBBARD was a conscientious man. This trait was displayed in everything he did or said. He was guided by deep emotions, earnest convictions, and a sincere desire to serve the people. He had high ideals and a pure and lofty conception of the trust imposed upon a public servant.

His rise was steady rather than meteoric, which reflects the esteem in which he was held by those who knew him best. A lawyer by profession, through ability and work he made an honored place for himself among the bar of his State. Called to represent the constituents of his home county in the house of representatives in Iowa, his service in that body was such that he was later chosen to the senate of his State, where his services were so preeminent as to merit the wider responsibility of election to represent his district in Congress—a district comprising 13 counties with a population of approximately 250,000 people. He was elected to Congress four different times, and on the day of the evening on which he died had been renominated by his party as their candidate for another term. These continued and repeated evidences of confidence and esteem by a quarter of a million of people to whom he was known so well and with whom he had been closely associated for many years of his life are the highest tribute to his worth and character.

A few years ago, when an assassin's bullet struck down our lamented McKinley, beautiful indeed were the tributes of love and respect which came from a shocked and loving people. He had held many positions of trust and discharged them with fidelity and ability. His name had been associated and identified with policies and measures prominently recorded in the history of our country. And yet I recall how all of his achievements on the field of honor, in the halls of legislation, in the public forum, in the Chief Executive's chair seemed to have been set aside as the public mind turned instinctively to the sweetness and beauty of his home life. What was true of McKinley is equally true of the departed friend and associate whom we commemorate to-day.

Mr. HUBBARD was devoted to his family. His home life was ideal. He was fond of history, poetry, music, and art. His

home was the center of culture and there he found his greatest happiness. He enjoyed the society of his friends and liked to have them gather at his home. There his true qualities of mind and heart were shown to best advantage. He was gentle, affable, and kindly in his ways, sincere in his feelings, inspiring in his ideals. He was genuine. He will long be missed by those who were privileged to dwell within his hospitable friendship, and his memory will be a priceless heritage to his family.

His life was gentle, and the elements
So mix'd in him, that Nature might stand up
And say to all the world, "This was a man."

Mr. GREEN of Iowa. Mr. Speaker, my acquaintance with Mr. HUBBARD was limited. I had not known him until the first session of this Congress. Short as it was, this acquaintance was sufficient to impress upon my mind the worth of the man and the force of his character.

We are living in an age devoted to the accumulation of wealth and a constant desire for the spectacular. The homely virtues of right living, of thorough integrity, and a consideration for others are too often forgotten unless so paraded before the public as to lose much of their value.

Mr. HUBBARD's life was in itself a sermon and a creed, yet he never preached or talked. A gentleman in the highest sense, he was kindly to others, considerate to all, and showed malice to none. His private life was without a blemish and his integrity unquestioned. The splendid prizes of the financial world had no allurements for him. He had an extensive practice as a lawyer and long service as a public official. As an attorney he had frequent opportunities to enrich himself in a manner that would have brought no reproach, but in professional and official life it was not sufficient for him to satisfy the law or accord with custom. The rule which he adopted was controlled by his conscience.

He who simply treads the path of duty is not likely in the ordinary course of events to have his merits fully known by the public. Mr. HUBBARD was unpretentious and led no vain-glorious life. While his career was not dazzling it was infinitely more useful than many another which has been loudly acclaimed by the public and the press. His work was done faithfully with no loud-sounding advertisements and no flourish of trumpets. The busy world does not, can not, understand the loss it has sustained when such a man passes away. It is therefore most fitting, Mr. Speaker, that we should meet here to commemorate his virtues. Some time, when those who later read the history of the worthy men of our State, examine the record which we have made here, they will say: "This was a just man; a patriotic citizen; a faithful legislator; a man of large heart, of generous mind, of broad views; who lived, not for himself alone, but for all mankind."

Mr. Sisson. Mr. Speaker, I was not so fortunate as many of those who have spoken upon this occasion as to have a very intimate personal acquaintanceship with Mr. HUBBARD. When I came to Congress I recollect meeting him among the early days of the special session. I recollect with a great deal of pleasure the absolute independence of thought on the part of this distinguished man. My nearly four years of service in this House has made me very much less of a partisan than when I came. I fully realize that there are Representatives on the other side of the aisle from that upon which I sit whose patriotism is just as great, whose devotion to the country is just as great, as any of those gentlemen sitting upon this side of the aisle.

It seems to me that we are now reaching a period in our country's history when the party lines are being greatly shattered, and, being an optimist, I feel that whatever may occur to the political parties as they now exist, that out of it all the American people and this Republic will emerge brighter and stronger. I do not believe that any man living, when he attempts to measure the success of his life by what he has accumulated, can say that his life is a success. There is, there can be but one successful life, and that is a life of service. I do not care what field of labor one may occupy. I care not whether his avocation be one that is considered in the eyes of men a high and great avocation or not. If he devotes his life unselfishly to the betterment of humanity his life is a success. The hod carrier who devotes himself to unremitting toil, with a full determination that in this line of work he shall succeed and shall endeavor to make mankind better, is as glorious a success as though he occupied a position in the mind's eye of the world.

Mr. HUBBARD always impressed me when he came to consider a public question that he could and did lay aside all of his partisanship; and while he was a Republican, he never permitted a Republican organization or Republican leaders to do his

thinking for him. And his example to me and others here has had an influence not only on that side of the aisle but on this side of the aisle, and I desire to indorse from my knowledge of him all that his friends from Iowa have said of him. And I believe that in their description of him as a man and individual at home they have not exaggerated his good qualities and his good character, because the earnest I saw of him here justifies me in the conviction that they have not overdrawn the picture.

Mankind worships at the cross of Christ because his was a life of service. Just as a man can pattern his life by that life it is a success. When the spirit of altruism shall fill the hearts and minds of people at both ends of this Capitol, and of all of those who shall occupy offices of trust in this Nation, and can have their ideas and their minds thus unselfishly directed to public questions and filled with that spirit of the Master, we will be able then, and not until then, to properly solve all the great matters of State.

I believe that the ethics of a people should always be in advance of the laws and the legislation of a people. I believe that when a people reach that point where their ethics are not in advance of their business and legislative code, that people have reached a point where they will not rapidly make advancement. And the ethical code of the distinguished Member of this House upon whose bier I would lay a flower was high. It rose above all the partisan strife, not only in his own State and in the Nation, but above the parties and strife in this House.

Courage is not only displayed on the field of battle, amid martial music, rattling musketry, and belching cannon. It requires more courage on the floor of this House to submit to the jeers of your party leaders and submit to the criticisms of a partisan press than it does to die on the field of battle. Mr. HUBBARD had this sort of courage. He was willing to submit to criticism in order that he might submit to the dictates of his own conscience. I believe he was an ideal Member in this respect. And in paying to him this tribute, with a full knowledge of his seven years' service, I know that he was all that I say he was. And I would to God that every Member on both sides of the center aisle would voice their consciences and their judgments with the same courage, with the same convictions, with the same patriotism, and with the same full consideration of the public welfare that Mr. HUBBARD did.

Mr. GOOD. Mr. Speaker, ELBERT H. HUBBARD was born at Rushville, Ind., on August 19, 1849. With his parents he removed to Iowa in 1857. His early education was obtained in the common schools of Sioux City. At the age of 23 he was graduated from Yale College.

His father, Asabel W. Hubbard, was prominently identified with the beginnings of Sioux City. He built the first hotel and organized the first railroad company in that vicinity. He was a lawyer by profession, and was elected judge of the circuit court, which position he filled with distinction. From 1862 to 1869 he represented the Sioux City district in this House. It was a source of great satisfaction to ELBERT H. HUBBARD to represent the district in the Congress of the United States where he had lived practically all his life, and which had previously been ably represented by his distinguished father. He was a boy of 8 years when he became a resident of Iowa, and from that time to the date of his death his interests and sympathies were always closely associated with the building up and development of that part of the country.

Mr. HUBBARD loved his country and rejoiced in her victories and mourned in her defeats. He was but a boy in his teens when the wires flashed the news over the country of Lee's surrender, and it is related of him that in the demonstration that followed young HUBBARD joined in the celebration by mounting the tower of the Methodist Church and ringing the old church bell. Throughout his entire life he was moved to action by the noble and patriotic impulses of his nature.

Mr. HUBBARD's legislative experience was not confined to his labors in this House. He was a member of the House of Representatives of the General Assembly of Iowa. Later he was elected to the State senate, where he served in the twenty-seventh and twenty-eighth general assemblies. He was a member of the house when the liquor question was decided by the Legislature of Iowa. He was again called to the service of his State when the great problem of the control of railways and corporations was before the Iowa Legislature. In Congress he took a prominent part in the fight to liberalize the rules of the House. It is thus seen that throughout his legislative career his tenure in each of the legislative bodies in which he served was at a time when his party was divided by internal strife. He was an able legislator, and in that capacity he served his State and country with credit and distinction. In every legis-

lative act party ties were made subservient to the national welfare. A lawyer by profession, he occupied an enviable position at the bar of the State.

It is worthy of note that the great financial panic of 1893 had its beginnings with the disastrous failure of the Union Trust Co. of Sioux City. For several years the Union Trust Co. had been floating stocks, bonds, and other securities which it guaranteed. The notes of this concern and the securities which it guaranteed had been sold in practically every part of the country. When the crash came in April, 1893, banks in 24 States of the Union held the promissory notes of this company, aggregating over \$7,000,000. In addition to this, stocks and bonds guaranteed by this company had been sold in excess of \$50,000,000 more. The object of the Union Trust Co. was to build a city where there was none, and in a marked degree it succeeded. Practically every great interest in Sioux City was allied in some way with the Union Trust Co. Most of its great enterprises were started by it, while to others it gave financial aid and backing. It built and aided in the building of railroads, street railways, manufacturing establishments, packing plants, stockyards, and elevators. It platted additions, erected buildings, and in a large way handled real estate, and did everything that a big corporation could do in the way of building up the city. It was a stupendous undertaking. The failure of this institution spelled bankruptcy to dozens of the financial organizations of Sioux City. It was a gloomy day for that thriving metropolis. When the crash came the trust company and its creditors alike looked for some one who had the confidence of the community and who, at the same time, had the ability to straighten out the legal and financial tangles. ELBERT H. HUBBARD was united upon as that man. He was appointed receiver for the Union Trust Co. and wound up its affairs with marked ability.

It was in connection with litigation growing out of this great failure that the present Attorney General, Hon. George W. Wickersham, became acquainted with Mr. HUBBARD, and from that day to the time of Mr. HUBBARD's death there existed a very close, intimate relationship between the two men. On more than one occasion I have heard the Attorney General speak in terms of highest praise of the legal ability and honorable conduct of Mr. HUBBARD.

For several years previous to his death Mr. HUBBARD was a member of one of the great committees of this House, the Committee on Insular Affairs. He took a great interest in all the legislation coming before this committee, and was a deep student of every question referred to it. He rarely participated in debate on the floor of the House, but he was a good listener, and no member of the House was, as a rule, better informed as to the merits of a bill after it had been discussed on the floor than he. When the time for action came there was never any question in his mind what his duty was. For him to know his duty was to perform it.

He loved nature and spent most of his spare time in strolling through the woods. He was a familiar figure in Rock Creek Park. He took a lively interest in everything that he saw or heard during these walks in the woods. How frequently have I heard him tell of the good times he had had in his long walks in the park. Who of his close friends have not heard him say of these tramps in the woods, "Great fun"? His home life was ideal. He was essentially a home man. Club life had no charms for him. He was an idealist, a dreamer of dreams. His idle moments were spent in communion with nature or in the companionship of his charming family. Surrounded by loved ones at home, his everyday life was most beautiful. The Almighty gave our lamented colleague a big heart. His was an affectionate nature, and his heart was always in the right place. We miss his counsel and advice. We miss his pleasant smile, his cheerful and cordial greeting, his brotherly companionship.

O for the touch of a vanish'd hand,
And the sound of a voice that is still.

Mr. NORRIS. Mr. Speaker, again we have met to pay the last tribute to one we loved. Again we are assembled around the open grave of one of our own number. We have met in blessed memory of a friend and brother who but yesterday, in the possession of all the faculties of a vigorous manhood, stood out among us as a model worthy of the emulation of the best. We can not think of him, we can not read of him, we can not remember him, we can not emulate him without improvement. Judge HUBBARD was one of God's noblemen. The elements of manhood were so intermingled in his make-up that his very life will always remain an inspiration to all those who knew him. He was vigorous and determined, he was unflinching and courageous, and through it all he was gentle, modest, and true. He never betrayed a friend and never took advantage of an enemy. As measured by the span of the ordinary life his work was far

from completed. At a time when his usefulness was the greatest the awful summons came. Many years of still greater achievement, it seemed to his friends, lay before him; and yet, without notice and without warning, he was stricken down while the sun was in its zenith. And oh, how does his sudden taking off remind us of others of our number who were called before. Before their work has been completed they have been compelled to lay their burdens down and obey the sudden and solemn call. When humanity needed them most they have been called to answer the final summons. Before their grateful fellow citizens had learned to appreciate their work and their worth and give to them the honor and the reward that their work and their labors had entitled them to receive, eternity's gates swung open and we were deprived of their wisdom, their leadership, and their counsel. In this respect Iowa's loss has been greater than any other State. It seems but yesterday that Dolliver was called, and now to-day HUBBARD is gone—both summoned in the same way, while in the prime of their manly vigor and strength. Such instances almost cause us to doubt the wisdom and the justice of Providence, and, if this life were the end of it all, such doubt would be resolved into a certainty. But to me it is another reason for my faith that beyond this world of pain and grief there is a brighter, happier life, where the wrongs of earth will be righted, where tears of sorrow will never flow, where broken hearts will never bleed, where—

No grief shall gnaw the heart
And never shall a tender tie be broken.

And what of that life beyond? Is it a place where punishment shall be meted out to weakened mortal man for sins committed here?

Will death change me so
That I shall sit among the saints,
Turning a deaf ear to the sore complaints
Of souls that suffer?
Methinks, God pardon if the thought be sin,
That a world of pain were better, if therein
One's heart might still be human, and desires
Of human pity drop upon its fires
Some cooling tears.

We have it in Holy Writ, spoken through the lips of the Master himself, that the Kingdom of God is not meat and drink, but peace, love, and joy. It is beyond the power of the human mind to solve the mystery of death. In the awful shadow of its wing man stands helpless and appalled. No mortal eye can see, no mortal tongue can tell what lies beyond, and yet we have a satisfied, abiding faith that beyond it all there is a future life for man. And when the awful summons comes to us it will be with that faith, with that hope, with that belief—aye, with that conviction that, with unfaltering step and without a shudder or a fear, we can enter the mist, the darkened cloud that conceals from mortal eye the peace, the joy, the love, the blessings of eternity.

Mr. LINDBERGH. Mr. Speaker, soon after my first arrival in Washington it was my good fortune to meet the late Judge ELBERT H. HUBBARD. Immediately I knew him to be a sincere man of strong character. After I became better acquainted with him I came to know him as an excellent and able counselor. There are many problems that arise in the performance of the duties of office upon which a new Member needs the advice of one who is tried and experienced. I quickly recognized in Judge HUBBARD a man of the character that one could absolutely rely upon. On several occasions I went to his office in order to consult with him, and found him to be most judicious in passing his opinion on subjects requiring consideration.

Judge HUBBARD was progressive in the true sense of progressiveness. He knew the limitations of men and was practically and not radically progressive. He stood for those things that aid toward the betterment of conditions that affect mankind. He possessed the judgment that makes of men true statesmen.

The saddest that I have felt on seeing the draped desk of a departed Member was on the day when I saw it draped for Judge HUBBARD. It was the first information that had come to me of the closing of his life's valuable service to his country. But there was still left to his country the good of his past services. Perhaps a personal incident that I recall will give light on that statement. Those of us who try hard to meet the demands placed upon us get but little chance to make close personal acquaintances here. But occasionally we get a glimpse into the souls of our colleagues. One evening I called on Judge HUBBARD, and he was reading a poem written by J. K. Bangs. After he completed its reading he handed it to me. It was:

That part of me that from the earth hath come,
Let earth take back again when comes the hour
That makes of my achievement the full sum
And sets the limit to my feeble power.

I grudge no bit of it—the loan of clay
That from her breast I've ta'en I shall return,
And have no slight reluctance to repay,
Nor ever think the debt incurred to spurn.
But that which of the spirit is in me
Let no earth-creditor of me demand;
To earth give earth's, to immortality
The gift divine from the Immortal Hand.

Judge HUBBARD has given back to earth the clay. The results of his work as a statesman live on for the betterment of mankind—"the gift divine to the Immortal Hand."

Mr. TOWNER. Mr. Speaker, ELBERT HAMILTON HUBBARD was born in 1849. He was 62 years old when he died. He was a graduate of Yale College and a lawyer by profession. He early settled in Iowa and served both as a representative and as a senator in the general assembly. He was elected as a Representative in Congress in 1904 and served about seven years and until his death.

He was a man of the cleanest character and most exemplary life. There are those we know whose character is always challenged, who must struggle to maintain it, and who keep it only at the sword's point. Not so with his. No one ever challenged it; no one ever impugn it; no one ever doubted it. He was inherently, instinctively, temperamentally clean and pure. He was honest without effort, personally and politically.

I knew him personally only two years, but during that time our association was quite close. Although we often differed, I learned to greatly admire his fine character and high ideals. If I were asked to name his most distinguishing characteristic I think I should say simplicity and candor.

There is no more admirable trait in man than a noble simplicity. In this age when the character of many is so enigmatic that their original elements can not be divined, it is refreshing to find a simple nature, clear and transparent as a limpid streamlet. The greatest truths are the simplest, and so are the greatest men. Emerson said:

Nothing is more simple than greatness; indeed, to be simple is to be great.

This fine trait ELBERT HUBBARD possessed. He was simple and unaffected as a child. He had no thought of obscuring an issue or of concealing a thought. He did not desire to mystify, but to clarify. He was not a lover of darkness, but of light. He stood in the clear sunlight himself, and for the dragons of the caves he had neither admiration nor fear.

Closely allied to this is another most admirable trait of character, candor. Candor is the seal of a noble mind. A small mind or a dishonest one can not be candid. Dissimulation ever marks the swindler and the scoundrel. Deceit is the desire of little minds, the defense of the depraved, and the most useful weapon of the wicked. But candor is the mark of purity, for only the pure can be candid. This most admirable trait was marked in ELBERT HUBBARD. It did not need to be affirmed of him, because it was apparent. It shone from his eye, and—on his unembarrassed brow nature had written "gentleman."

I do not think ELBERT HUBBARD was ambitious, certainly not in the selfish sense. He was only desirous of doing his duty and being of service. If in doing this, distinction came, it was welcome. But he had no thought nor desire to force the issue, to press forward—

Treading the thorny road
Which leads through toll and hate to fame's serene abode.

His was the contemplative mind. He did not seize a thought and hurl it rough and ponderous toward its goal. Rather with patient care he sought it out with meditation, and with utmost pains he fashioned it, and then with steadfast purpose sent it speeding toward its goal. He loved the old themes and the old books.

The past's incalculable hoard,
Mellowed by scutcheoned panes in cloisters old,
Seclusions ivy-hushed and pavements sweet
With immemorial list of musing feet.

It would be thought that with these characteristics he would have been out of tune with this pushing, radical, iconoclastic age. But he was keenly and ardently abreast of the foremost thought, alive and sympathetic to the changing temper of the times. A strange combination this, a conservative radical. Ideally that is what we all should be; keeping abreast of the progress of the age and bearing our part in its onward march, and yet holding fast to the treasured richness of the past and never yielding judgment to passion or to impulse.

Most of this virtuous and blameless life is hidden from us in modest privacy. But that which is revealed gives token of the richness and the worth reserved for those who knew and loved him best. We speak of the news of unexpected death as a stroke. And so it is. Out of the unseen comes the arrow of death, and out of the unseen comes the flash of a sad intelli-

gence that smites the heart sometimes with sorrow deeper than the dart of death. To those who knew him best no news of death could have been more unexpected. He was seemingly so well, so happily alive, so glad in the very hour of political victory that when the news came of his death it came with double force. But there is a consolation, if not a blessing, in sudden death. To those who knew him best he will not be recalled as a saddened, suffering figure, but he will stand forever in the halls of memory as he stood in life, vigorous and strong in the maturity of manhood; a fine type of that which is best in American life.

Peace, Peace! he is not dead, he doth not sleep—
He hath awakened from the dream of life—
'Tis we who, lost in stormy visions, keep
With phantoms an unprofitable strife.
And in mad trance strike with our spirit's knife
Invulnerable nothings. We decay
Like corpses in a charnel; fear and grief
Convulse us and consume us day by day
And cold hopes swarm like worms within our living clay.

He has outsoared the shadow of our night;
Envy and calumny and hate and pain.
And that unrest which men miscall delight
Can touch him not and torture not again.
From the contagion of the world's slow stain
He is secure, and now can never mourn
A heart grown cold, a head grown gray in vain;
Not when the spirit's self has ceased to burn
With sparkless ashes load an unlamented urn.

Mr. HAUGEN. Mr. Speaker, ELBERT HAMILTON HUBBARD's neighbor, Mr. SCOTT, and friends who knew him longer and better than I did have related in detail his life story and commanding incidents of his private and public career; hence in my brief tribute to his memory I shall not undertake to particularize, but to speak of him as I knew him in our brief personal acquaintance—not as a function or formal duty, but out of a heartfelt affection for that noble man. Though I knew him intimately for only a few years, yet having lived in the same house with him for a year, and here in Washington where our duties brought us in frequent contact, I had an opportunity to know and study his grand life, his splendid character, his noble qualities and purposes so manifest in every walk of life, both public and private. Like in most great and good men, we had in Mr. HUBBARD, generally known here as Judge HUBBARD, a plain, simple, unassuming, unpretentious, and unselfish man. "Simplicity belongs to greatness." A man of sterling qualities, of loving disposition, eminently sociable, pleasant, courteous, obliging, loyal to his friends, with a character founded on integrity, with a will to work his way honestly and bravely, endowed with lofty ideals, fortified with wealth of learning, pursuing his duty with industry, fidelity, unyielding courage and fixity of purpose, always shunning deceit and cunning practice. The better I knew him the more I adored him, the more I loved and realized why his constituents trusted him, and why he was held in such high esteem by his many friends. His neighbor and lifelong friend, the Hon. John C. Kelly, recently, in a letter to me, said:

As time passes here there is coming to be universal agreement that he was a sounder, safer, and stronger man than his political friends or enemies could appreciate when they were measuring him by an ideal.

In our State Judge HUBBARD occupied a position in the foremost ranks of his profession. Noted as a counsel, as an advocate with an unflinching fidelity to his clients, as a legislator with unflinching faith in rectitude of purpose, dominated by lofty ideals, naturally through his fidelity to his clients, his constituents, and his State he gained distinction and popularity. Coming to Congress as he did, with his genial disposition, keen intellect, noble character, and experience in legislative work, coupled with his patriotic, active, and effective public service, his unswerving and unusual devotion to truth, to the best interest of his State and Nation, always evident in his performance of public duty, naturally won him distinction and many friends. Few Members of Congress have gone to their graves more universally loved and mourned by their colleagues than our worthy friend, Judge HUBBARD. I had the honor to be a member of the committee which attended his burial services in his home city. I was deeply impressed by the regard evidenced by the great number of sympathetic friends who came for the last time to look upon the face of that departed friend. In his departure his excellent family sustain the loss of a loving husband and devoted father. The State of Iowa and the Nation lost a most worthy, respected, and patriotic citizen.

While I realize that it is not in my power to utter words that will fully allay the great sorrow experienced by the members of his family, yet it is comforting in this hour to point to a life so bright, a character so pure, and to one with such noble qualities, splendid career, and record as a statesman and citizen; to say that while he has departed from the world of sickness, pain, sorrow, and adversity, we sincerely

believe that he has gone to one of happiness, brightness, and peace, and to know that his grand life has made the world better and added to its happiness.

Mr. AYRES. Mr. Speaker, never will I forget the scene in the great church at Sioux City last June at the funeral of ELBERT HUBBARD. Every foot of room in that spacious building was crowded by those who came to do honor to his memory, and outside were hundreds of others who could not gain admittance. All sorts of folk were there—the rich, the poor, politicians and philanthropists, business friends and social friends, the cultured and the ignorant, youths and old men. Everywhere were flowers heaped by willing hands, roses and lilies, violets and forest leaves, woodland blossoms, tender and fragile, and immortelles. The music of the great organ rose and fell, the voices of singers relieved the hushed expectancy. And as I looked about at that great and mixed assemblage the thought came, this truly was a man of the people.

This is how ELBERT HUBBARD always appealed to me—a man of the people. A true representative of the prosperous, intelligent men and women among whom he lived and among whom he died in so unexpected, so dramatic a fashion. What more can be said of him, what higher tribute can be paid to him, than that he typified the virtues, the hopes, the affections, the ideals, aye, the failings, of that numerous and sensible class of Americans who are the real makers and owners of this great Republic, and in whose continuance abides the hope of its future.

The people of his district should raise a shaft—a granite shaft—to mark his grave, and on it should be inscribed: "He was one of us."

Mr. PEPPER. Mr. Speaker, I do not desire to allow this occasion to pass without adding a brief tribute to the memory of ELBERT H. HUBBARD.

My acquaintance with our friend and colleague, ELBERT H. HUBBARD, dated from my entrance to this House two years ago. From that time until his sudden and untimely death I learned to admire and respect him as a courageous and independent public servant and as a genial, kindly friend.

One trait of his character impressed me from the first; that was his unqualified devotion to what he conceived to be his duty. It seemed to me he was remarkably free from partisan bias and prejudice. When it came to voting in the House of Representatives I was struck oftentimes with his complete independence and abandonment of party regularity.

I think in his later life he had reached an attitude of mind where he felt unwilling to allow any partisan thoughts whatever to enter into consideration in connection with his public work.

I think during the time I served with him in the House, although we were on opposite sides of the big aisle, our votes were recorded together oftener than otherwise.

To my mind Mr. HUBBARD was a true progressive. He saw with a vision remarkably clear the present condition of the public mind. He realized at the time the unrest and dissatisfaction of the people with conditions as they have existed for some time.

He was a profound student, a deep thinker, a philosopher. He hated sham and pretense and was a lover of truth.

To these attributes I should add those of frankness, reliability, sincerity, straightforwardness, plain dealing, all modes in which truth, a divine attribute, develops itself.

I do not recall of hearing Mr. HUBBARD speak except very briefly on one or two occasions. At these times, however, he spoke with force and convincing power.

I sometimes think it is rare to find a man who can speak out the simple truth that is in him honestly and frankly without fear or favor. But with Mr. HUBBARD, either in private conversation or in public discourse, his speech conveyed to me always a conviction of absolute sincerity.

His public career covered a period of 13 years—6 years in the State Legislature of Iowa and 7 years in the Congress of the United States. At the time of his death he had just been triumphantly renominated for the fifth time as a candidate for Congress.

He had reached that period in his congressional career when his influence was felt in every matter to which he gave attention.

I am glad to have known Mr. HUBBARD. His life and public record have been and are an inspiration to me.

LEAVE TO PRINT.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent that Members who may desire to do so have leave to print for the next five legislative days.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Speaker, in order that the RECORD may further show the esteem entertained for Judge HUBBARD by his many friends, I ask unanimous consent to have printed in the RECORD extracts from the Sioux City Tribune of June 7, 1912, and the Sioux City Journal of June 8, 1912, and also the address at the funeral of ELBERT HAMILTON HUBBARD at the First Presbyterian Church, Sioux City, Iowa, by the pastor, Wallace M. Hamilton, D. D.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Following are the extracts and the address referred to:

[From the Sioux City Tribune, June 7, 1912.]

VAST NUMBERS PAY LAST RESPECTS TO CONGRESSMAN—FLOWERS BANKED HIGH NEARLY HIDE THE BIER OF ELBERT HAMILTON HUBBARD.

Like a shadow,
Softly and sweetly thrown from a passing cloud,
Death fell upon him.

Ring clear, like a tone from a silver bell, these words from the lips of Rev. Wallace M. Hamilton, pastor of the First Presbyterian Church, Sixth and Nebraska Streets, fell upon the ears of hundreds of friends, nation wide, who gathered this afternoon for the final rites over the bier of Congressman ELBERT HAMILTON HUBBARD.

Scarcely distinguishable in the midst of a luxuriance of roses, lilies of the valley, smilax, ferns, and carnations, the minister pronounced the words so that they could be heard distinctly from the farthest corner of the church auditorium.

To the solemn tones of Beethoven's funeral march, played by Prof. O. A. Morse, organist, the casket was borne to its place directly before the pulpit. The Hubbard family, including relatives, occupied the small choir room at the right, while the first five rows in the auditorium proper were reserved for the congressional delegation and the Woodbury County and Sioux City Bar Associations.

FLOWERS PILED HIGH.

To the right of the pulpit stood a colossal crown and base of American Beauties, sweet peas, and Easter lilies, the gift of the official congressional committee. On the left was a large anchor of roses, Easter lilies, and carnations, given by the two local bar associations, while heaped about the altar and inset about the platform rail were cut flowers of every description sent in by organizations and friends. The pulpit was wrapped about with white rosebuds given by Sioux City friends. An immense box of cut pink and white carnations and American Beauty roses was received from the Iowa delegation in Congress. The Commercial Club, local merchants, and lodges about the city were also represented in a wealth of floral grandeur heaped about the altar. The Erodolphan Society of the high school sent in a design of pink and white carnations.

During the service the Presbyterian Church choir sang "Rock of ages" and "Lead, kindly light." At the close, Chopin's funeral march was played by the organist.

The first five carriages in the procession to Floyd Cemetery were occupied by the family and relatives, the next three by pallbearers, and the following three by the congressional delegation. Immediate friends followed.

A. B. FUNK PAYS HIGH TRIBUTE TO DEPARTED LEADER.

SPIRIT LAKE, June 5, 1912.

Hon. JNO. C. KELLY,
Sioux City, Iowa.

MY DEAR MR. KELLY: I am stunned by the death of the noble HUBBARD.

You and others may have known such thing might be, but I had not seen him since I was in Washington, some months since, and was wholly unprepared.

He had fought a good fight and kept the faith. The old district had just grandly sustained him in his fidelity to lofty political ideals. The State and country needed him in his clear conviction, high courage, and undaunted conscience. "Take him for all in all, we shall not look upon his like again."

His death is to me a personal loss, but knowing how you two were bound by many ties, I know few friends are so much wounded as yourself. And my heart bleeds for his devoted family. Like "the shelter of the rock in the weary land" was his great heart to those nearest and dearest. I have not communicated with Mrs. Hubbard. May I ask you to assure her of my deep and abiding sympathy? Am very sorry I am not able to be at the funeral Friday.

Sincerely, yours,

A. B. FUNK.

[From the Sioux City Journal, June 8, 1912.]

COUNTRY HONORS HUBBARD.

Sioux City, Iowa, and the Nation yesterday paid final honor to Congressman ELBERT H. HUBBARD, deceased.

National respect for the late Congressman was extended by a delegation from the United States Senate and House.

The condolence of Iowa was expressed by the attendance at the funeral ceremony of nearly all the State colleagues of the late Mr. HUBBARD in the House, and by the presence of political and personal friends from various parts of the State.

Sioux City indicated sympathy to a marked degree, the auditorium of the First Presbyterian Church, where the ceremony was held, being packed to overflowing by friends and neighbors.

The long procession to the Floyd Cemetery began at 3.15 o'clock. Headed by the pallbearers and hearse, it was composed in order by the immediate relatives of the late Congressman, the members of the delegation from Washington, D. C., the members of the Sioux City and Woodbury County Bar Associations, and the friends of the family.

Active pallbearers were T. A. Black, F. L. Eaton, W. N. Ford, George S. Parker, William Gordon, and Judge William Hutchinson. The honorary pallbearers, chosen by the bar association yesterday, were Craig L. Wrigat, C. R. Marks, E. B. Spalding, J. L. Kennedy, T. G. Henderson, and Judge David Mould.

Congressman HUBBARD died about 5.30 o'clock Tuesday morning of heart disease, just as returns were beginning to come in which showed conclusively he had won the honor of the fifth consecutive nomination to Congress from the eleventh district. He was at the home of John C. Kelly, an old friend. His younger son, Lyle Hubbard, was with him at the end. Mrs. Hubbard was en route to Sioux City from Washington.

Address at the funeral of Hon. ELBERT HAMILTON HUBBARD, M. C., at the First Presbyterian Church, Sioux City, Iowa, by Wallace M. Hamilton, D. D.

Again we are reminded that all roads lead toward the cemetery. Thither have gone little children, the household idols; thither the playmates of earlier years; thither the aged and the infirm; and now one in the fullness of life. The Providence emphasizes the need more strongly than words "that our days should be numbered and our hearts appalled unto wisdom."

When, on the morning of Tuesday, June 4, the spirit of Hon. E. H. HUBBARD took its flight, we were bereft of one of our most respected and useful citizens. The most admiring and loving friend could wish for his memory no higher tribute than a true portrayal of his life and character. And while the general facts of his life are well known to all of you, and will not be repeated here, yet it is natural and right at the close of every noble life that we place the flower on the casket, that we break the "alabaster box," that we recall the noblest and best of the qualities of the departed.

The simple tastes and quiet demeanor of our friend would exclude any unnecessary parade or eulogy from this service. Keeping in mind what would be his desire, we would indicate some truths that we should ever retain in our hearts. The stability of the conspicuous traits of his character suggested that they were inherited. The inference was supported by the concurrent testimony of those who had opportunity to know the virtues of his ancestors. With a good inheritance, and the opportunity of a college training, the success and honor which distinguished his career were due to a happy concurrence of favorable conditions. His mind was vigorous; his heart was true to humanity; his innate honor directed him. He was philanthropic in his impulses and was thus delivered from the temptation of the merely technical and saved to be a lover of justice and righteousness. These conspicuous traits of character, together with the ample development of his natural gifts, secured for him a position of leadership and of lasting and tender regard in the hearts of his friends. If intelligence, integrity, and courage are the pillars that support the State, then our community has had a good representative in the halls of legislation.

His home life was ideal; among his family and friends he was full of kindness and sympathy. My impression is that he was a member of no lodge or organization of men, but belonged to the community. Faithful in his profession and to the general public, but when his day's work was over he found his home the place of refuge and joy.

In political life he necessarily differed with many of his fellow men, but so far as I have been able to detect in conversation with him it was without malice or personal animosity.

His death, coming at the close of a successful campaign for renomination, was inexpressibly sad. The announcement cast a gloom over our entire city. Men in every walk of life felt they had lost a friend. His devotion to his family, his friends, and the public service was limited only by the boundaries of his life. He was human, and so there was weakness, but he has left the memory of a brave, honest man.

Like a shadow,
Softly and sweetly thrown from a passing cloud,
Death fell upon him.

God does not thus equip a life for these few years. We live in a world of reason. Our hearts and minds need another summertime for their unfolding. In certain conditions our minds may drive out at the door our belief in immortality, but when we do lose that belief it will come in again through the window of our hearts with the assurance that this is not the end. To deny the soul's survival is to charge folly upon nature and God. Mr. Emerson said, at the close of his life, "What I have seen of God's work in this world leads me to trust for that I have not seen; and whatever He has in reserve for us it must be something beautiful and in the grand style of His work." Sir Walter Scott, anticipating his death, and to comfort his children, placed as his last words in his journal, "And on the next morning—" and then the line broke off. He knew that dying was no "All hail and farewell," but rather "All hail and good morning." So we turn with confidence to the Bible, for it is the key that fits the lock and opens the future with fullness of light and assurance. Immortality is here no unemphatic assertion; it is here as a glorious vision; it is here as a conclusive argument; it is here as a revelation in the tangible embodiment in the grand personality of the risen and ascended Christ. He is now our way to an immortal hope. Before He lived and died, tombs faced the west. After Christ, tombs faced the east, for the sun had disappeared to stand upon the horizon again, clothed with untroubled splendor. There is a chamber in the catacombs, used about the time of Julius Caesar, and every tomb has emblems of the skull and crossbones. Near by is another chamber of a later generation, and, lo, Christ's teachings have carved upon each stone a lily, eloquent of immortal hope. To-day our hearts are sad because of the loss of a friend, but our assurance is of eternal life. With gratitude for his useful life, and with deep sympathy, we reverently bow our hearts and heads and commend his bereaved family to the God of all comfort in this their hour of need.

THE LATE SENATOR WILLIAM P. FRYE.

Mr. GOULD assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. GUERNSEY, by unanimous consent,
Ordered, That Sunday, February 9, 1913, be set apart for addresses upon the life, character, and public services of Hon. WILLIAM P. FRYE, late a Senator from the State of Maine.

Mr. GUERNSEY. Mr. Speaker, I send the following resolution to the desk, and ask that it be read.

The SPEAKER pro tempore. The Clerk will report the resolution.

House resolution 823.

Resolved, That the business of the House be now suspended that opportunity may be given for the tributes to the memory of Hon. WILLIAM P. FRYE, late a Senator from the State of Maine.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of memorial exercises of the day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

Mr. MCGILLICUDDY. Mr. Speaker, the career of Senator FRYE is not only eminent, but in many respects unexampled. For 40 consecutive years he was a conspicuous Member of the American Congress—10 years in the House and 30 years in the Senate. This is a length of service equaled only twice in the whole history of our country.

For 10 years before coming to Congress Mr. FRYE was a notable figure in the public life of his State. Commencing in 1861, he was elected for three terms as a member of the State Legislature of Maine; twice elected mayor of Lewiston, his native city; and for two terms filled the high office of attorney general, where his abilities as a lawyer won him renown.

I have said that his career in many respects was unexampled; so it was. It is well known that during Senator FRYE's public career there were strong men in his party in Maine who were active in the sphere of political life. High and important offices did not go unsolicited; yet in all the 50 years of his political activity, and notwithstanding the many high and important offices he filled, he never was obliged to make a contest for a nomination in his party for any position he ever held.

Another remarkable fact is that in his long career he never lost his hold, even temporarily, upon the confidence of the people of his State. Fifty years is a long period of political activity. In that time he saw his party in the political vicissitudes of the times meet with downfall and defeat. But the people never faltered in their loyalty and devotion to him, even to his dying day.

Furthermore, in these days of modern political machinery, it is worthy of note that Senator FRYE never depended upon a political machine, so called, for his personal political supremacy. He appealed directly to the people, placed his whole confidence in the people, and they in turn rewarded him with theirs.

Another remarkable feature of his public career was its pleasantness and freedom from bitterness. Enemies he had none; calumny never assailed him; envy and malice never threw their blighting shadows across his pathway. In the lengthening years of his life it was his great satisfaction to contemplate this feature of his career. It made him an optimist of the best type, with faith in his fellow man and hope and confidence in the future of his country.

He was intensely an American. His public life began with the breaking out of the Civil War in 1861 and spanned a succeeding period of 50 years—probably the most exciting, strenuous, and important period of our country's history. New problems of tremendous import were presented for solution. The period brought forth American statesmen of the highest type. Foremost among them was Senator WILLIAM P. FRYE, prominently identified with every great public question of his time. In the legislative hall and committees an indefatigable worker, and on the stump—the great educational forum of American politics—the irresistible orator.

As a platform speaker in a political campaign Senator FRYE had no superiors and few equals in his time. He had a wonderful power of taking a dry and intricate question like the tariff and making it interesting and clear to the average man. He could place himself in the sympathies of his audience quicker and more thoroughly than any man I ever saw, and at his will he could, by bursts of real eloquence, arouse his hearers to the highest pitch of enthusiasm.

The great public knew the Senator as an orator and statesman. But as a citizen, neighbor, and friend he was at his best to those who were fortunate enough to be included in the circle of his intimate acquaintance.

There was an unaffected plainness and cordial sincerity about the man that had a peculiar charm. And yet there was a natural dignity about him that commanded respect and marked him as the cultured gentleman. All in all, he was one of nature's great men.

Maine has given many eminent statesmen to the service of the country. Her citizens have been proud to honor them.

High upon her roll of fame posterity will write the name of the Hon. WILLIAM PIERCE FRYE, the matchless orator, the pure statesman, the wise diplomat, and patriotic lover of his country and mankind.

Mr. GUERNSEY. Mr. Speaker, as a member of the delegation from the State of Maine on this floor I desire to offer a few remarks on the life work of one of the best types of American statesmen that has appeared in our national life. Others for a time have occupied more conspicuous places in the public mind only to have their lives blighted by disappointment, defeat, or death.

The statesman that I refer to, broadly speaking, never knew disappointment; he never knew defeat, and death overtook him only after he had long passed the time allotted to man. Such was the remarkable career of a remarkable man—WILLIAM PIERCE FRYE, United States Senator from Maine, who died at his home in Lewiston, Me., on the banks of the Androscoggin, August 8, 1911, aged 80 years.

For more than 40 years WILLIAM PIERCE FRYE was a commanding figure in the State of Maine and the councils of the Nation. For 10 consecutive years he was a Member of this House, and for more than 30 years represented his State in the United States Senate. Throughout his long public career at Washington he enjoyed to an extent almost without a parallel in American public life the constant, sustained support and ever-increasing confidence and respect of the people of his State. His personal strength with the people of Maine was universal. Brilliant as were the careers of those sons of Maine, the great Secretary of State Blaine and the great Speaker Reed, neither can compare for complete success with the life work of Senator FRYE.

Years ago, as a boy, I knew of him as a great political orator who charmed audiences from ocean to ocean. I heard him speak, and read his speeches with absorbing interest. In later years, when I better understood the great national questions he advocated and the strength of his position on public matters, I found myself in full accord with his views. As time passed on I became a member of our State legislature and had the opportunity to cast my vote in his favor on the occasion of his fourth return to the United States Senate.

When I became a Member of the National House of Representatives I went to him for counsel and aid, and not only did I receive the counsel and aid sought, such as could only be given and extended by a man in Senator FRYE's high position and unlimited experience, but he often extended unsought his helping hand not alone in acts of kindness, but often in matters of great public importance to me as a Representative and to my district.

When I called upon him for the last time, less than two years ago at his hotel in the city, I saw that the heavy hand of time was laid upon him and that his day had reached its twilight; yet even then he was the same kind-hearted, dignified, and determined man, looking straight into the future with no thought of looking back, even though his physical strength was fast vanishing.

Senator FRYE was born September 2, 1830, at Lewiston, Me., the son of Col. John M. Frye, a prominent and influential man in the early development of the present city of Lewiston. His great-great-grandfather, Joseph Frye, was a general under Washington in the War of the Revolution.

Senator FRYE was educated in the public schools of his home town, and at the age of 15 he entered Bowdoin College and graduated four years later in the class of 1850. He read law with William Pitt Fessenden, practiced law for a time at Rockland, Me., but later returned to Lewiston and became a partner of Thomas A. B. Fessenden. On the death of Mr. Fessenden Senator FRYE formed a partnership with John B. Cotton, who was afterwards Assistant Attorney General during the administration of President Harrison.

At the bar in his State Senator FRYE achieved success as a lawyer and soon became one of its acknowledged leaders. He soon, however, was called to broader fields, and in 1861–62 and 1867 was chosen to represent his city in the State legislature, serving also as mayor of Lewiston in 1866 and 1867. Political preferment seemed to crowd upon him and in 1867, while he was still mayor and representative in the legislature, he was chosen attorney general of Maine, and during the years 1867–1869 he conducted the important office with signal ability, winning a country-wide reputation in the trial of capital cases. In 1864 he was chosen as presidential elector. In 1872, 1876, and 1880 he was a member of the national committee from his State, and in 1880 succeeded James G. Blaine as chairman of the Republican State committee of Maine.

He entered the National Congress in 1871 as a Representative from what was then the second congressional district of Maine.

In the Forty-second Congress he had as colleagues James G. Blaine, Eugene Hale, John Lynch, and John A. Peters, while in the Senate there were Hannibal Hamlin and Lot M. Morrill. Five times he was chosen to succeed himself as a Representative from his district, and served, in addition to the Forty-second Congress, in the Forty-third, Forty-fourth, Forty-fifth, Forty-sixth, and Forty-seventh Congresses, and undoubtedly would have been chosen Speaker in the Forty-seventh Congress had it not been for his promotion to the United States Senate.

In 1881 James G. Blaine resigned his seat in the Senate to enter the Cabinet of James A. Garfield as Secretary of State, and Representative FRYE was elected to the United States Senate to fill the vacancy caused by the resignation of Senator Blaine.

In the United States Senate, as the successor of James G. Blaine, he fulfilled the highest expectations of his State and maintained his position on a par with that of his most illustrious predecessors. In 1883 he was chosen as his own successor for a full term by the State legislature, and likewise in 1888, 1895, 1901, and 1907. On the occasion of each legislative election the unanimity of choice in his favor was so complete that no voice, so far as I am able to learn, was ever raised against his candidacy within his own party.

The wonderful ease with which Senator FRYE continued in public favor until the day of his death was one of the striking features of his public life. On one occasion I am told that not long ago a prominent statesman asked the Senator if he were to live his life over whether he would follow the professional career in which he had been so eminently successful before coming to Congress or that of a public man such as he had been since he entered Congress, and the aged Senator replied that he would choose by all means the public service if he could be assured in advance of as comfortable time as he had always experienced so far as effort to hold his position was concerned.

Senator FRYE never had his time consumed or his position embarrassed by seeking for riches. Opportunities undoubtedly were presented to him whereby he could have advanced his fortune legitimately, but he is said to have remarked that he much preferred to put aside such opportunities that came to him through others, as he could not tell how soon return of favors might be suggested and which would embarrass him as to some public act that he should perform.

The service of Senator FRYE in the United States Senate is a record of devotion to duty to his State and Nation, it was brilliant and able. He served on the Committee on Foreign Relations, and for years was chairman of the Committee on Commerce. He became conspicuous in diplomatic matters, and one of the most prominent supporters of measures to increase and upbuild our domestic and foreign commerce.

On February 7, 1896, he was elected President pro tempore of the Senate, and reelected to that position March 7, 1901, and held the same until within a few months of his death, resigning from the position on account of failing health. In 1898 he was appointed a member of the peace commission which met at Paris to settle the final differences between this country and Spain growing out of the Spanish-American War.

During the long life of Senator FRYE he witnessed the making of a large portion of the history of this Republic, as well as taking part in making much of it.

He was born during the administration of Andrew Jackson—first term—and he became a voter during the administration of Fillmore. As a member of the Legislature of Maine in 1861 and 1862 his voice and vote were always in favor of upholding the Federal Government in its struggle to continue its life during those dark days in the early part of the Rebellion.

After he entered Congress he saw the administrations of Grant, Hayes, Garfield, Arthur, Cleveland, Harrison, McKinley, Roosevelt rise, develop great governmental policies, and pass into history, and lived long enough to take part during a large portion of the present administration of President Taft.

As a member of the peace commission at the close of the Spanish-American War he favored the acquisition of the Philippine Islands, believing it was the duty of this Government to continue its control over those islands which had been captured in war, and that it would be cowardly for our Government to desert them, and, further, he believed that this Government was destined to grow and become a great world power. With William McKinley he was an empire builder.

Senator FRYE came near having presidential greatness thrust upon him, not once but twice. In the national convention of 1880 pressure was brought to bear for him to accept the nomination for Vice President. It was proposed to him before it was to Mr. Arthur. Had he accepted, the tragic death of President Garfield would have placed him in the highest office in

the land, but he refused to allow his name to be used and Mr. Arthur was chosen in his stead.

In 1900 President William McKinley urged Senator FRYE to accept the nomination for Vice President on the Republican ticket with him, but the Senator was firm in his decision not to accept such position. At the time it is related that Senator FRYE said to the President, "Why, what if anything should happen to you?" The President replied, "Then you would be President, and no man is better fitted to be President than yourself." Thereupon Senator FRYE said that he would not accept the Presidency even if it were tendered to him on a plate of gold.

President McKinley, like President Garfield, met his death at the hand of an assassin and Theodore Roosevelt was elevated from the Vice Presidency to the Presidency. Thus twice did Senator FRYE put aside the possibility of being President of the United States. To him the most desirable position in this Republic was a United States Senatorship, and he wished to continue in his position as a Senator from his native State.

Senator FRYE's long service of 30 years in the United States Senate is a record that has been surpassed by but three Senators and equaled only by six. His former colleague from Maine, ex-Senator Hale, served for 30 years. They entered the Senate at practically the same time, and during their 30 years of service in that body through their joint efforts gave Maine influence in the Senate all out of proportions to our State's wealth and population.

Senator FRYE was a tireless worker and a debater without a peer, and Senator Hale, as Senator FRYE once stated in my presence, was the ablest legislator in the United States. Fortunately, indeed, was the State of Maine when she was served in the highest legislative branch of our Government by such men.

It can be said of Senator FRYE that he was as considerate of the opinions of others as he was strong in his own convictions. A determined but nevertheless a fair fighter, unsparing in his assaults in debate, but always courteous, firm in attitude yet gentle in his personal manner, as careful in his public acts as he was in his private affairs, he was true to his constituents and to his country. He was loyal to the former and patriotic for the latter. He was as diligent in the search of the facts of a case as he was gifted in presenting them with convincing logic and eloquence.

His personal interests throughout his long career were overshadowed by his sense of public duty, and his public service was preeminently conspicuous. Such was his life work; and as long as the history of the Nation is preserved on its pages will appear the written evidence of the unblemished record and the splendid character of WILLIAM PIERCE FRYE.

Mr. Speaker, inasmuch as there are undoubtedly others who would like to add a tribute, but are unavoidably absent, I move that a period of 20 days be allowed them in which to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the gentleman's request? [After a pause.] The Chair hears none, and it is so ordered.

At this point Mr. GUERNSEY assumed the chair as Speaker pro tempore.

Mr. STEVENS of Minnesota. Mr. Speaker, the sentiments and ideals which impress youth have a lasting influence throughout its future. That man is a benefactor among his fellows who appreciates and utilizes his own advantages for a useful and honored career; and, in addition, by example and by precept, awakens enthusiasm and devotion among the younger generation, which knew and believed in him.

One of the strongest and most cherished recollections of my boyhood was a political speech which I heard delivered by then Representative in Congress WILLIAM P. FRYE, at Rockland, Me., among his friends, in the political campaign of 1872, when he urged the reelection of President Grant, Gov. Chamberlain, and the Republican ticket. He was at that time some over 40 years of age, at the height of his manly vigor and attractiveness, with a voice and manner singularly winsome and forceful; and with a method and style for the treatment of his subject which appealed powerfully to his hearers. Of course, in those days the questions arising from the Civil War and reconstruction were uppermost, and always the theme of the political orator; and I remember so well, and to my youthful astonishment, that he discussed them with vigor and forcefulness, and yet with no bitterness or rancor toward the people or States of the South. The ordinary partisan orator of that period depended upon fanning the prejudices and creating apprehension among his hearers.

Mr. FRYE never descended to that, even though at the time to do so would easily win applause and approbation. Probably

my youthful imagination was chiefly stirred by his peroration, in which he used the beautiful legend of St. Christopher to exemplify the mission of the Republican Party to preserve our Nation and its institutions. I was reared in the Republican faith, and so probably needed no particular monition to keep steadfast; and yet to this day there recurs to me the impression then made by his fervid and splendid oratory, his unexpected fairness and broadmindedness, his wealth of information and illustration, his clearness and good sense, and especially by his moral sincerity and lofty patriotism, with its call to us to stand by that party which had preserved our country and its blessed institutions. It is such a lesson as that, ground into one's fiber, which keeps us firm in the faith, and continuously striving to preserve and purify and strengthen the ideals and institutions of our Nation for ourselves and for the millions of our countrymen who will follow us.

This personal experience is only related to illustrate one of the great missions of the long and very useful life of Senator FRYE. He was one of the most potent and influential platform, political, and parliamentary orators of his time; surpassed by none in his attractiveness, in his popularity, and his capabilities. When I came to know him well I told him of the impressions caused by his speech, and he stated that probably up to the time he was talking to me he had made more political speeches and over a larger territory than any political speaker in the country. That was probably true at that date, but since then several of the leading political orators of both parties have surpassed his record.

His career in Congress, in both the House and Senate, was distinguished and extremely useful and patriotic. The same qualities which made him so charming and powerful upon the public platform were immensely more potential amid the exactions and in the complex and constantly increasing burdens of public service. As a parliamentarian he excelled, and the certainty, capability, precision, and eminent fairness of his guidance as a presiding officer made him one of the most sought and notable in the country.

The great subject which laid nearest to his heart was the development of the resources of his country and the advancement of its commerce and influence for the blessing of our own people. He served upon the most important committees of the House and Senate, and contributed to their work the vigor, industry, training, and splendid ability of a master in his own sphere. But through it all, in his practical, keen, incisive, but thoroughly upright way, he ever sought to advance the interests and welfare of his countrymen in the fields of commerce; since he believed that with increasingly prosperous conditions as a foundation there would surely follow in our citizenship the attributes which the highest character, culture, and civilization would bring to such a people in a land blessed like ours.

As a member of the peace commission to bring to a conclusion the Spanish War his services were extremely useful and in the broadest way. He foresaw the necessity for the United States to preserve and extend its influence throughout the world, not for trade and commerce merely, which should redound to the material advantage of our people, but he believed that the extension of our influence and institutions among the nations of the earth would have a reflex action for good among our own people in their daily rush for personal advantage, helping them to adequately appreciate what blessings they have, and compelling them to realize that in their own actions they should stand as exemplars before the peoples of the world, and that it always would be incumbent upon them to maintain and truly deserve their prestige.

The strength of his character which made him so sincere, so respected among his fellows, so influential among his countrymen, was a heritage from a New England ancestry which conferred upon him the best it had. It has been fortunate for our Nation that such as he and such qualities as his have been dedicated to the public service throughout our history. His aptitude for such duties was so well recognized, and his constituents had such entire confidence in and admiration for him, that opposition to his reelections became almost useless in his State.

The people of a great State can receive and deserve no higher encomium for their intelligence, their integrity, steadfastness, and patriotism than by their continued and hearty support of such a man as Senator FRYE for more than half a century of such public service. He earned and received and appreciated it, and the people reaped their full reward by the dedication of a rare life solely to their public work and to their public welfare. The peaceful and natural close of such a long, happy, useful, sweet, and honored life could not arouse the poignant sorrow except as one would sincerely mourn that such a de-

parture is the divine dispensation and that such a friend has finally left us.

I do not know to whose memory could be more fittingly applied this tribute to a moral hero:

He never failed to march breast forward,
Never doubted clouds would break;
Never thought though right were worsted
Wrong would triumph:
Held we fall to rise, are beaten to fight harder,
Sleep to wake.

Mr. GOULD. Mr. Speaker, for more than half a century during the lifetime of Senator WILLIAM P. FRYE the people of his State honored him with their love and confidence by electing him to State and Federal offices. For more than 40 years in the two Houses of Congress he stood out in bold relief as a national figure, a leader in all that made for the welfare of his country and fellow man. It was not my privilege to know him intimately or to be classed among his personal friends, as he entered public life while I was but a boy in my teens. My first knowledge of this man, who was destined afterwards to ripen and develop into one of the most influential statesmen of his time, was while he was serving his State in the high office of attorney general. He was then in the full flush and vigor of his early manhood, strong, ardent, masterful in all those elements and qualities that go to make up a great lawyer, and one who by force of character and personal magnetism must inevitably become a leader among men. As an advocate at the bar, an orator and a public speaker, Senator FRYE had few equals anywhere. His services as a campaign speaker were eagerly and widely sought. His keen sense of wit, his eloquence and his perfect command of language were always a source of pleasure and satisfaction to those of his hearers who were in sympathy with his views, and the subtle sarcasm with which he could ridicule his opponents was a corresponding discomfort to them. His broad and liberal education, his vast and varied knowledge upon public questions, and his resourceful mind made him always a powerful friend and a dangerous opponent. That he held public office longer than any other man from his State is the strongest evidence of the regard and esteem in which his fellow citizens held him. He served the people of his home city, his State, and his country at large, the latter at home and abroad, and in all these places of public trust as the servant of his people he served with that degree of fidelity and distinction of which they were always justly proud. Senator FRYE was loved and respected by all those who knew him from the time he entered upon that long life of service and worth, until in the fullness of time he was called to take up the boatman's oar and cross the dark river to the great beyond, from which no traveler has ever yet returned, out into that life beyond the grave, into which no human eye has ever seen, into that life there of which no living man can ever know; and history will bear his name down through the generations that shall follow, and picture him as a vital and forceful part of the Nation during his time. Not the least, however, of importance was the example he gave to young men of this country, of one who by force of his own efforts and sterling character rose from the people and climbed step by step the ladder until he reached that goal, the zenith of the ambition of many and attained by few, a seat in the highest legislative body of the world—the Senate of the United States. His home was always on the banks of the river upon which he was born and where he died, and as the waters of that river flow out into the boundless ocean, so will the precepts and examples given by him flow out into the great sea of human toil and endeavor, and make the world better because he has lived. We all regret and mourn his loss as national in character, and pay this our humble but feeling tribute of respect to his memory.

THE LATE REPRESENTATIVE UTTER, OF RHODE ISLAND.

The SPEAKER pro tempore. The Clerk will report the next order.

The Clerk read as follows:

On motion of Mr. O'SHAUNESSY, by unanimous consent,
Ordered, That Sunday, February 9, 1913, be set apart for addresses upon the life, character, and public services of Hon. GEORGE H. UTTER, late a Representative from the State of Rhode Island.

Mr. O'SHAUNESSY. Mr. Speaker, I present the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 824.

Resolved, That, in pursuance of the special order heretofore adopted, the House proceed to pay tribute to the memory of the Hon. GEORGE HERBERT UTTER, late a Representative in Congress from the State of Rhode Island.

Resolved, That as a further mark of respect to the memory of the deceased, and in recognition of his distinguished career and his great service to his country as a Representative in Congress, the House, at the conclusion of the memorial proceedings of this day, shall stand adjourned.

Resolved, That the Clerk of the House communicate these resolutions to the Senate.

Resolved, That the Clerk of the House be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

Mr. O'SHAUNESSY. Mr. Speaker, death, the great reaper whose sickle never dulls and whose arm never falters, has reaped a rich harvest in the Sixty-second Congress. My colleague and friend, GEORGE HERBERT UTTER, was the eighteenth in its necrological roll. More have been added since his soul winged its way to that immortal home where all of earth's grandeur pales into insignificance in comparison with the riches our Heavenly Father has stored up for his faithful children.

Coming to Westerly, R. I., in 1861, from Plainfield, N. J., where he was born, July 24, 1854, he resided in that community continuously until his death, which took place on Sunday, November 3, 1912, two days prior to the general election. He had given freely of his splendid oratorical powers to the Republican national committee during the campaign and had stumped for his party in his usual effective fashion in the New England States, and, no doubt, by his unremitting endeavors hastened the end which was to be the climax of the malignant disease which gripped him. He was equipped for the masterful rôle he was to play in the business and political world at Alfred (N. Y.) Academy, in Westerly High School, and at Amherst College, from which he graduated in 1877. For years and until his death he was the publisher of the Westerly Sun, which steadily reflected the views of its owner, who was always ready with moral admonitions as applied to current events.

Congressman UTTER was a man of simple tastes and hardy virtues; in debate he manifested the spirit born of true conviction and in council gave abundant evidence of that indefinable something which generates and inspires confidence. He was a man of deep religious feeling, and his unflinching devotion to the sect of which he was so conspicuous a member, the Seventh-day Baptists, found him ready for the summons which must come to all. No doubt perplexed him when, surrounded by his loving family at his home in Westerly, he passed away, comforted by the presence of devoted hearts and sustained by a State-wide approving sentiment of his private and public life. He was prepared for the fulfillment of the Savior's words, "I am the Resurrection and the Life." The sect to which he gave such rigorous devotion is small in numbers and makes Saturday its Sabbath Day. The sturdy observance of this habit alone marked him as an unusual man, as one who differed with millions, but differed conscientiously, manifesting at the same time a broad religious tolerance.

But there are deeds that should not pass away,
And names that must not wither.

His deeds, so characteristic of the man, shall not pass away, and his name shall be remembered wherever meritorious action and endeavor have left an impress upon the memory of man. It is related of him that, when governor of Rhode Island, he declined to attend a celebration in the city of Washington and delegated the lieutenant governor to take his place, because the exercises were to be held on Saturday. And in the performance of his duties in this great Chamber, only the most pressing necessity, the consideration of some very vital question, would cause his presence here on the day that he had dedicated as his Sabbath. He had the courage of his convictions, content with the approbation of his conscience. In political life he loved the truth, and dared speak it, even though in some cases it spelled defeat for some cherished ambition.

He had a distinguished and honorable public career. He was elected four times a member of the Rhode Island House of Representatives, and during one of those terms was speaker of the house. He was twice chosen as senator from his home town, and thereafter he filled, to the satisfaction of the public, the exalted posts of secretary of state, lieutenant governor, and governor of Rhode Island. And withal he remained the same genial, unassuming, charitably disposed Christian gentleman, magnanimous in his consideration of others, and never failing to find deep down in the other man's heart something to admire and approve. His oratorical ability, coupled with his unfailing, invaluable advice and meaty suggestion for high moral endeavor, made him a favorite at public gatherings, and I am sure that his cheering words will long be remembered by the many Bible classes, Young Men's Christian Associations, and commercial bodies that had the pleasure and satisfaction of hearing him. His was a conservative nature that held to old traditions and found little comfort in the new political dispen-

sation. He had a reverent regard for American institutions, and a profound trust that, unchanged, they could and would work out a nation's destiny. With his tenacity of belief there was always coupled a bourgeoning hope that every political problem would be solved for the good of all the people, but his caution dispelled rash methods, and his nature quailed instinctively at quick transitions in the methods of government.

He brought an optimism to his work; his buoyant spirit was nowhere better shown than in his favorite poem:

"HOW DID YOU DIE?"

Did you tackle that trouble that came your way,
With a resolute heart and cheerful?
Or hide your face from the light of day
With a craven soul and fearful?
Oh, a trouble's a ton, or a trouble's an ounce,
Or a trouble is what you make it,
And it isn't the fact that you're hurt that counts,
But only how did you take it?
You are beaten to earth? Well, well, what's that?
Come up with a smiling face.
It's nothing against you to fall down flat,
But to lie there—that's disgrace.
The harder you're thrown, why the higher you bounce;
Be proud of your blackened eye.
It isn't the fact that you're licked that counts,
It's how did you fight—and why?
And though you be done to the death, what then?
If you battled the best you could,
If you played your part in the world of men,
Why, the critic will call you good.
Death comes with a crawl, or comes with a pounce,
And whether he's slow or spry,
It isn't the fact that you're dead that counts,
But only how did you die?

And here in this House, where his services were characterized by an unflinching sense of modesty and untiring zeal, we honor his memory. I can hardly reconcile myself to the knowledge that my cheerful and helpful colleague has passed away. How often he spoke to me in this Chamber in his kindly and fatherly way, little thinking that his useful, well-spent, highly moral life was so soon to end. He has gone, but he will live in the affections of a grieved domestic circle, in the respect of the State he loved and honored, in the memory of his services, and in the loving testimony of those whose good fortune it was to meet him here, to associate with him, and to work with him.

Mr. GREENE of Massachusetts. Mr. Speaker, the Sixty-second Congress has been depleted by the hand of death to a greater extent than it has been my experience to witness since I have been a Member of the House of Representatives. Many of these deaths have been sudden and unexpected, and I am sure none more so than that of the late Member from the second district of Rhode Island, Hon. GEORGE H. UTTER.

His activities seemed to be at their height of usefulness when the second session of this Congress was concluded, and I am sure no one imagined when the parting good-bys were exchanged and we departed to our respective homes that we had parted forever in this life from our late associate. His program for active campaigning in the presidential contest in behalf of the party to which he owed allegiance, and from whose membership he had often been honored, seemed to promise fulfillment of the work which he enjoyed and his return to the scene of his activities and friendships here. But while man proposes and plans for the future there is an unerring destiny which overrules our purposes and shapes our ends.

Mr. UTTER was a resident of Westerly, R. I., from early boyhood, and was active in promoting the interests and shaping the public improvements of the town of his adoption. His natural ability was improved by education in the public schools and by academic and college training. He was a newspaper publisher, and as such and as a public-spirited citizen he had a marked influence among his fellow townsmen. He was an honored member of the Rhode Island House of Representatives for several terms and speaker of that body. He was also a member of the Rhode Island Senate, secretary of state, lieutenant governor, and governor of that State. Upon the death of the late Congressman Capron he was elected a Member of this body.

Mr. UTTER was a ready debater and an eloquent advocate of the policy of protection to American industries and American labor, under which the State of Rhode Island had marvelously grown and prospered until it became one of the most complete and varied industrial centers of growth and activity in New England. But not alone to political lines were his activities limited. He was frequently called upon to speak in different parts of the country in behalf of the extension of the work of the Young Men's Christian Association and also in addressing religious and other public assemblages. He was an eloquent and forceful speaker, and was always sure to have an ap-

preciative audience whenever the announcement was made that he was to deliver an address. He was suddenly stricken with disease while actively engaged in the campaign for the Republican Party, and was compelled to submit to an operation, from which he did not recover.

I was assigned to membership of the committee which attended his funeral services at his home in Westerly, R. I. There was a large attendance at the exercises, of many persons prominent in public life from all over the State, and also his associates in Congress from Rhode Island, Connecticut, and Massachusetts. The places of business in Westerly were closed, and general evidence of respect to his memory were displayed by the citizens of the community, and thus the last tribute of respect and affection was paid to his memory on the day following the national election of 1912. The town, the State, and the Nation have been deprived of the services of a useful and worthy citizen and able legislator, but his words and his accomplishments will be recorded in the pages of history, and his example and worth may well be an inspiration to the generations who may contemplate his career in public and private life.

Mr. PLUMLEY. I enter these precincts to-day with laggard and hesitant steps. A funeral pall is over this Chamber, and shadowy forms, the ethereal essence of them whom we commemorate, walk by my side. A solemn hush is here where yesterday there was strenuous strife, and we who were partisans then are now one in that union of soul which awaits on common sorrow.

It was a brief acquaintance I had with the late Hon. GEORGE HERBERT UTTER, a little less than a year, but during that period it became close and intimate. During the political campaign of 1912 he spoke in Vermont, at my request, and in my own town, where he charmed all with his wit, his wisdom, his method, manner, and matter.

When we dwell upon his career we deal with a character which was excellent, rich, and rare; with a life that was clean, exalted, and noble; with garnered results which are worthy of study and emulation. There beat in his breast a heart large, warm, and true. He possessed a personality which attracted friends and held them. He loved and was beloved. He had faith in others and was himself trusted implicitly. For the greater part of his adult life he was a public servant, living in the limelight of official service, yet beyond reproach and without scandal. He was honest because it was right to be honest; he served to the best of his ability those who trusted him, because such service was their due. He lived a high-minded, whole-souled Christian gentleman and patriot, and at his death there is bereavement and lamentation.

In his life and in his death he verified the words of Scripture:

The highway of the upright is to depart from evil; he that keepeth his way preserveth his soul.

It is indeed most gratifying that at this hour we can recount the virtues of our dead with naught to extenuate, naught to conceal; that as a precious privilege we can name him as our friend, and in honoring him do honor to ourselves. When cut down he was in the full tide of honor and usefulness. "His death was untimely and his brethren mourn."

[Mr. REES addressed the House. See Appendix.]

Mr. PICKETT. Mr. Speaker, James A. Garfield once said:

There is no place on earth where a man will more certainly or more speedily reach his true level than in the House of Representatives.

GEORGE HERBERT UTTER illustrates the force of this observation. Elected to the Sixty-second Congress, he was permitted to serve only through two sessions—the extra session in 1911 and the regular session commencing December, 1911. Yet in this brief period he established himself in the esteem of his associates and left his impress on the legislation of this body. He laid the foundation for a career of usefulness and distinction. Genial and courteous in his manner, attentive to his duties, industrious in his work, bringing to his assistance a rare natural ability, supplemented by years of training and experience in the public service, he was admirably equipped to take a distinguished place in this high forum of national legislation. There is an old Roman legend—

Let what each man thinks of the Republic be written on his brow.

There was written on the brow and displayed in the words and acts of GEORGE HERBERT UTTER a high conception of our Republic, an abiding faith in the fundamental principles on which our institutions rest, and a prophetic vision of its grander possibilities yet to come. While not omitting the details necessary to a legislator, he seemed to have a broad and comprehensive grasp of public questions. Emerson has said something

about noting what "the hours are saying to the centuries." Ours is a great Nation, 48 separate sovereign States; 90,000,000 people; vast territory. It requires breadth of vision to grasp those great problems which involve the life and the future of our Republic. Frequently the human mind is so absorbed with the localized aspect of questions that it fails to reach out and encompass, so to speak, the national viewpoint. He had this faculty in a rare degree.

He had another character trait—intellectual courage. He did not fear to act on his judgment. He stood square shouldered to his duty as a public servant. He did not propound the interrogatory, "Is this measure policy?" He always appeared to be self-questioned by "Is this right?"

Small of stature, there was yet in his bearing the signet of command—command of himself and therefore command of others; which, united, forms leadership. Amid the storms and passions which frequently beset the pathway of public men he stood erect, unshaken as Atlas—

While storms and tempests thunder on its brow,
And oceans break their billows at its feet.

He was a firm believer in constitutional government. His love of constituted authority, reverence for the wisdom of our fathers, and deep convictions in fundamentals of our Government, together with an exalted patriotism and a lofty ambition for the destiny of our Nation, recalled to my mind the hope expressed by Lord Coke—

Of living always under the protection of the law and in the glad some light of jurisprudence.

Great memories are in themselves great leaders. The memory of those who have wrought for the Nation's good is in itself an education for those who follow. The memory of GEORGE HERBERT UTTER may well be preserved to the youth of our land, that they may emulate his example, that it may stimulate them to do their duty toward preserving the institutions he loved so well and to which his life was so nobly devoted.

Mr. MURRAY. Mr. Speaker, these are memorial exercises for one whom I never knew till I met him here as a Representative from Rhode Island, but whom I came to know with such respect and admiration that I felt a personal loss when he died. Mr. UTTER was a positive man, with real ideas about men and things, with courage and capacity to express those ideas. There was force in his manner and method of expression, but it was a charming kind of force that directed itself against policies and principles rather than against persons.

I do not remember any time when we were in active disagreement on any matter in debate, but I am sure that we could have differed frequently in that way without any present memory of bitterness that might have been caused by his remarks. The memory would not be here, because the bitterness never was there when Mr. UTTER spoke.

He spoke sometimes, but he wrote constantly, for he was the editor of a newspaper. I have reflected lately on the influence he must have exerted during his lifetime as an editor; not the kind of influence that might cause men to vote in a given way, at a given time, but the kind of influence, unknown to him and not realized by his reader, that shapes the mind and helps to form the thought that may be the cause of action long after the reading may have been forgotten.

I am sure that Mr. UTTER wrote editorials and articles of real value, because he said things of that sort. I remember well, for instance, a talk that he gave me one day when he stopped here at my seat on his way to the reference library in the rear of this section. It was a simple talk about present-day conditions of American life, in which Mr. UTTER developed to me his idea that most of the disturbance we noticed last spring was social in its nature rather than political. He showed me clearly that a large part of the price of present-day success is the loss of friendships and associations we truly enjoyed in earlier and humbler days. He proved from his experience and from mine that many men who used to be friends are not now friendly, and that the change in relations seemed to be because we had been singled out from our fellows for something of distinction.

I wish that I could set forth in this memorial the details of that talk, but I can not do so any more than I can ever erase from my mind and leave out of my life the effect of it. I am sure that Mr. UTTER wrote frequently in the columns of his newspaper just as he talked that day to me. I am also sure that those writings left a lasting impression on the minds of his readers, just as that talk left a lasting impression on me.

I remember well a newspaper editorial that I read many months ago written under the caption, "Creditors of humanity." It told something of the life story of a Massachusetts man who

was secretary of the Interstate Commerce Commission and had just died. It made the point that humanity keeps books with all who are given opportunity to serve. On one side of the ledger there is written down everything that comes to a man in the way of public position and office that presents opportunity; on the opposite side is a detailed statement of the things given back to humanity in return for these opportunities.

I know little, if anything, of the details of service rendered by Mr. UTTER before he came to Congress. I believe on what I know of him as a Representative here, however, that he was indeed of the few who are "creditors of humanity."

Mr. REILLY. Mr. Speaker, as editor of the *Westerly Sun*, as governor of Rhode Island, and Representative in Congress GEORGE HERBERT UTTER was a success. Under his direct management his newspaper had for a number of years been a power for good in Rhode Island, and its field of usefulness and influence was constantly growing. It is a clean newspaper in the fullest sense of that phrase, because its editorial direction and business management were clean, because Editor and Business Manager UTTER was a clean man. His newspaper reflected the high moral standard that he had set for his life work, and its tone was never lowered. As governor of the State of Rhode Island he conducted the affairs of that Commonwealth along the same lines as he did his private business. He inaugurated reforms in State affairs that had long been needed, but which required a high degree of moral courage, in view of certain powerful influences, to put into effect. That the measures were of much benefit to the State and the people thereof is evidenced by the fact that they are still effective, and there has been no desire, at least no ability, to change them. While he was a staunch Republican, he was not the sort of partisan who stood for everything his party did. He went with his party so long as he believed it to be right, at least in a moral sense, and when it ceased to be that he did not follow it.

In every position, either of private or public character, Gov. UTTER gave to the duties of the position the best advice that was in him, and invariably it was of a high order.

He was well fitted for congressional life. His newspaper training and his service for his State gave him a firm grasp on national affairs, and he was certain to become one of the most influential Members of his party in this body.

He was of a retiring nature, but that did not mean that he shirked responsibility or duty. He was always ready to stand in the front rank for what he considered right. He was a ready speaker as well as writer, and not only in political campaigns, but on the lecture platform, was he in much demand. He was a religious man and truly devoted to his faith. He had the fullest courage of his conviction, but was in no sense bigoted or narrow. He accorded to everyone the right to worship as he pleased, but had no patience with those who did not believe in any worship.

His home life was ideal, and there his loss is felt the keenest. Though of a serious turn of mind as distinct from the frivolous, yet he was no groucher. He felt that the man who scattered flowers in the pathway of the poor and unfortunate and let the sunshine of human happiness into the dark places of life was following in the footsteps of the Master. And so he lived and died, beloved of all who knew him and mourned the most by those who knew him best.

Mr. LA FOLLETTE. Mr. Speaker, my acquaintance with the late GEORGE H. UTTER was necessarily very brief, we both being at the time we first met new Members serving our first term, he representing a constituency of a State bordering on the Atlantic, I from a State touching the Pacific.

We were fellow members of the Committee on Coinage, Weights, and Measures, and it was in attendance on committee meetings that my attention was first directed to him particularly. His desire for accurate information, his insistence on a plain understanding of all measures discussed in that committee, caused me to give more than ordinary thought to and created a desire for knowledge of the man, and, upon looking up his biography, I was not surprised to learn that he had been a member and speaker of the House of Representatives of the State of Rhode Island, member of its State senate, secretary of state, lieutenant governor, and governor, respectively.

In noting his achievements and successful career, I was reminded of a little speech made by President Lincoln to a regiment of soldiers he was reviewing in front of the White House during the Civil War. President Lincoln said:

I happen temporarily to occupy this big White House. I am a living witness that any one of your children may look to come here as my father's child has. It is in order that each one of you may have,

through this free government which we have enjoyed, an open field and a fair chance that the struggle should be maintained that we may not lose our birthright.

As President Lincoln was a living witness to the opportunities opened up to the children of the most humble householder, so was Congressman UTTER a living example of the possibilities that are open to the laborer, the artisan, and the tradesman of our great country, if they only have the determination, the stamina, and ability to take advantage of the golden opportunities ever opening at their feet.

Congressman UTTER was a printer by trade, and a printer and publisher by occupation. He served his county and State in many capacities, each time establishing his worth. He was successively elevated in position and in opportunity to serve in greater things, and we can but mourn his sudden demise while yet in the perfection of his manhood and in the heyday of his success.

I feel that his life and achievements should be an inspiration to the youth of his own State and of our common country.

A kindly, courteous gentleman. Long shall we cherish his memory.

Mr. CRAGO. Mr. Speaker, it was my privilege to have been closely associated with GEORGE HERBERT UTTER, late a Representative from the State of Rhode Island, in much of his congressional labors. We were members of the same committee and at times were brought into close contact by reason of work on subcommittees. His very unexpected death was to me a great personal loss, and to this service, in honor of his memory, I bring words of sorrow, feeble though they may be, yet too deep and real to measure by any standard other than of friendship for the man and a deep appreciation of the many virtues his life exemplified.

I shall leave to others the recital of the events of his life prior to the convening of the special session of the Sixty-second Congress, as my personal acquaintance with him began at that time.

A brief reading of his biography discloses the fact that his former work and training in public life had well fitted him for his duties as a Member of this body, and we see the result of that training reflected in his work.

In his committees and on the floor of this House he took an active part and interest. He thought for himself, and his judgment on public questions was formed only after mature deliberation and was always founded on a knowledge of the facts and reasoned out by a mind trained to measure men and apply principles.

As a Republican Gov. UTTER was loyal to his party and the theory of government for which it stands, yet higher than the good of party he ever placed the common welfare of the Nation, and only those measures which appealed to him as right and just received his support.

His services in this legislative body was brief, yet he impressed his individuality on all with whom he came in contact, and had it been given him to serve even for a few years his ability, his loyalty to duty, his zeal for the public good would undoubtedly have commanded general recognition, and his real worth would have given him a prominent place in the councils of this body.

Born in the year 1854, he was but a child when, in 1861, the War between the States began, and so he could not have a part in that great struggle which called to the field the young manhood of this Nation. When in 1898 the call to arms was again sounded he had reached that age in life when, until the Government was in greater need of men, he could not follow the flag to the front and participate in that brief but brilliant feat of arms. And so his fame is linked not to any martial epoch of our history, but is the product of an era of peace, yet his love and veneration for the men who bore arms in defense of our country was intense and sincere.

His fame rests not on titles, but his titles came to him by reason of the true greatness of the man.

In the closing days of a great political campaign, a campaign in which sane principles of self-government, by the people, were being assailed as never before, when all about him were the sounds of conflict, a conflict in which, from a sense of duty, he had enlisted with heart and soul on the side of law and order as he saw it, he must needs answer the higher call. His body, weakened by disease, refused longer to hold the life which struggled so hard to gain the victory.

This life is grand and good and noble, yet it is a battle, a struggle from the cradle to the grave.

The physical man, in order that he may feel and know the pleasurable sensations, must be subject to pain and decay; the soul of man, in order that it may soar to heights divine,

has within it the possibilities of sinking into depths of low desire.

To war against pain and death, to struggle against that which would drag one to a lower level, physical, mental, and moral, is the challenge nature gives her children and impartially awaits our action.

The life of the departed shows him victor in this conflict. He had his days of sorrow and disappointment, but there was always the bright to-morrow—to-morrow with all its joys, its possibilities, and its pleasures. May we enter our to-morrow with a new realization that we are all agents of a great power in a mighty purpose; the manner of accomplishing that purpose we may not know, but if our work is good, if our lives are filled with good deeds, we shall have fulfilled the highest purpose of the Creator.

Gov. UTTER has reached the end of all human endeavor, and in that spirit land of life eternal has found what mortal man can never know—perfect happiness.

Peace to his soul, reverence for his memory, love for a life filled with good deeds—a life once ours, for evermore a part of the Infinite.

Mr. O'SHAUNESSY. Mr. Speaker, I ask that unanimous consent be given to those who are unavoidably absent to extend their remarks and make them a part of the proceedings of this day.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the resolution heretofore adopted and as a further mark of respect to the deceased the House will now stand adjourned until 10 o'clock and 30 minutes a. m. to-morrow.

Accordingly (at 2 o'clock and 52 minutes p. m.) the House adjourned to meet to-morrow, Monday, February 10, 1913, at 10.30 a. m.

SENATE.

Monday, February 10, 1913.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

Mr. BACON took the chair as President pro tempore under the previous order of the Senate.

The Journal of the proceedings of Saturday last was read and approved.

CONNECTICUT RIVER DAM (S. DOC. NO. 1067).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 5th instant, certain information relative to the contracts or agreements to be entered into by and with the Connecticut River Co. with reference to a dam across the Connecticut River and the generation of power in connection therewith, which was ordered to lie on the table and to be printed.

DISTRICT ELECTRIC RAILWAY COMMISSION (S. DOC. NO. 1068).

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, the fifth annual report of the District Electric Railway Commission respecting the enforcement of the act of Congress governing street railways in the District of Columbia, which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

FIRST PRESBYTERIAN CHURCH OF NEWBERN, N. C. (S. DOC. NO. 1069).

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of the Deacons of the First Presbyterian Church of Newbern, N. C., v. United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts; agrees to the conference asked for by the Senate on the disagreeing